

Calendar No. 577

105TH CONGRESS
2^D SESSION

S. 2432

[Report No. 105-334]

A BILL

To support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes.

SEPTEMBER 15, 1998

Reported with an amendment

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To support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 2 (legislative day, AUGUST 31), 1998

Mr. JEFFORDS (for himself, Mr. HARKIN, Mr. BOND, Mr. KERRY, Mr. McCONNELL, Ms. COLLINS, Mr. KENNEDY, Mr. REED, Mr. FRIST, Mr. DEWINE, Mr. BINGAMAN, Mr. WELLSTONE, Mr. WARNER, Mr. DODD, Mr. FAIRCLOTH, and Mr. FORD) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

SEPTEMBER 15, 1998

Reported by Mr. JEFFORDS, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Assistive Technology Act of 1998”.

4 (b) **TABLE OF CONTENTS.**—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purposes.

Sec. 3. Definitions and rule.

TITLE I—STATE GRANT PROGRAMS

Sec. 101. Continuity grants for States that received funding for a limited period for technology-related assistance.

Sec. 102. State challenge grants.

Sec. 103. Supplementary millennium grants to States for State and local capacity building.

Sec. 104. State grants for protection and advocacy related to assistive technology.

Sec. 105. Administrative provisions.

Sec. 106. Technical assistance program.

Sec. 107. Authorization of appropriations.

TITLE II—NATIONAL ACTIVITIES

Subtitle A—Rehabilitation Act of 1973

Sec. 201. Coordination of Federal research efforts.

Sec. 202. National Council on Disability.

Sec. 203. Architectural and Transportation Barriers Compliance Board.

Subtitle B—Other National Activities

Sec. 211. Small business incentives.

Sec. 212. Technology transfer and universal design.

Sec. 213. Universal design in products and the built environment.

Sec. 214. Outreach.

Sec. 215. Training pertaining to rehabilitation engineers and technicians.

Sec. 216. Assistive technology taxonomy.

Sec. 217. President’s Committee on Employment of People With Disabilities.

Sec. 218. Authorization of appropriations.

TITLE III—ALTERNATIVE FINANCING MECHANISMS

Sec. 301. General authority.

Sec. 302. Amount of grants.

Sec. 303. Applications and procedures.

Sec. 304. Contracts with community-based organizations.

Sec. 305. Grant administration requirements.

Sec. 306. Information and technical assistance.

Sec. 307. Annual report.

Sec. 308. Authorization of appropriations.

TITLE IV—REPEAL AND CONFORMING AMENDMENTS

Sec. 401. Repeal.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) Disability is a natural part of the human
4 experience and in no way diminishes the right of in-
5 dividuals to—

6 (A) live independently;

7 (B) enjoy self-determination and make
8 choices;

9 (C) benefit from an education;

10 (D) pursue meaningful careers; and

11 (E) enjoy full inclusion and integration in
12 the economic, political, social, cultural, and edu-
13 cational mainstream of society in the United
14 States.

15 (2) Technology has become 1 of the primary en-
16 gines for economic activity, education, and innova-
17 tion in the Nation, and throughout the world. The
18 commitment of the United States to the development
19 and utilization of technology is 1 of the main factors
20 underlying the strength and vibrancy of the economy
21 of the United States.

22 (3) As technology has come to play an increas-
23 ingly important role in the lives of all persons in the
24 United States, in the conduct of business, in the

1 functioning of government, in the fostering of com-
2 munication, in the conduct of commerce, and in the
3 provision of education, its impact upon the lives of
4 the more than 50,000,000 individuals with disabil-
5 ities in the United States has been comparable to its
6 impact upon the remainder of the citizens of the
7 United States. Any development in mainstream tech-
8 nology would have profound implications for individ-
9 uals with disabilities in the United States.

10 (4) Substantial progress has been made in the
11 development of assistive technology devices, includ-
12 ing adaptations to existing devices that facilitate ac-
13 tivities of daily living, that significantly benefit indi-
14 viduals with disabilities of all ages. Such devices and
15 adaptations increase the involvement of such individ-
16 uals in, and reduce expenditures associated with,
17 programs and activities such as early intervention,
18 education, rehabilitation and training, employment,
19 residential living, independent living, and recreation
20 programs and activities, and other aspects of daily
21 living.

22 (5) All States have comprehensive statewide
23 programs of technology-related assistance. Federal
24 support for such programs should continue,
25 strengthening the capacity of each State to assist in-

1 individuals with disabilities of all ages with their as-
2 sistive technology needs.

3 (6) Notwithstanding the efforts of such State
4 programs, there is still a lack of—

5 (A) resources to pay for assistive tech-
6 nology devices and assistive technology services;

7 (B) trained personnel to assist individuals
8 with disabilities to use such devices and serv-
9 ices;

10 (C) information among targeted individuals
11 about the availability and potential benefit of
12 technology for individuals with disabilities;

13 (D) outreach to underrepresented popu-
14 lations and rural populations;

15 (E) systems that ensure timely acquisition
16 and delivery of assistive technology devices and
17 assistive technology services;

18 (F) coordination among State human serv-
19 ices programs, and between such programs and
20 private entities, particularly with respect to
21 transitions between such programs and entities;
22 and

23 (G) capacity in such programs to provide
24 the necessary technology-related assistance.

1 (7) In the current technological environment,
2 the line of demarcation between assistive technology
3 and mainstream technology is becoming ever more
4 difficult to draw.

5 (8) Many individuals with disabilities cannot ac-
6 cess existing telecommunications and information
7 technologies and are at risk of not being able to ac-
8 cess developing technologies. The failure of Federal
9 and State governments, hardware manufacturers,
10 software designers, information systems managers,
11 and telecommunications service providers to account
12 for the specific needs of individuals with disabilities
13 in the design, manufacture, and procurement of tele-
14 communications and information technologies results
15 in the exclusion of such individuals from the use of
16 telecommunications and information technologies
17 and results in unnecessary costs associated with the
18 retrofitting of devices and product systems.

19 (9) There are insufficient incentives for Federal
20 contractors and other manufacturers of technology
21 to address the application of technology advances to
22 meet the needs of individuals with disabilities of all
23 ages for assistive technology devices and assistive
24 technology services.

1 (10) The use of universal design principles re-
2 duces the need for many specific kinds of assistive
3 technology devices and assistive technology services
4 by building in accommodations for individuals with
5 disabilities before rather than after production. The
6 use of universal design principles also increases the
7 likelihood that products (including services) will be
8 compatible with existing assistive technologies. These
9 principles are increasingly important to enhance ac-
10 cess to information technology, telecommunications,
11 transportation, physical structures, and consumer
12 products. There are insufficient incentives for com-
13 mercial manufacturers to incorporate universal de-
14 sign principles into the design and manufacturing of
15 technology products, including devices of daily living,
16 that could expand their immediate use by individuals
17 with disabilities of all ages.

18 (11) There are insufficient incentives for com-
19 mercial pursuit of the application of technology de-
20 vices to meet the needs of individuals with disabili-
21 ties, because of the perception that such individuals
22 constitute a limited market.

23 (12) At the Federal level, the Federal Labora-
24 tories, the National Aeronautics and Space Adminis-
25 tration, and other similar entities do not recognize

1 the value of, or commit resources on an ongoing
2 basis to, technology transfer initiatives that would
3 benefit, and especially increase the independence of,
4 individuals with disabilities.

5 (13) At the Federal level, there is a lack of co-
6 ordination among agencies that provide or pay for
7 the provision of assistive technology devices and as-
8 sistive technology services. In addition, the Federal
9 Government does not provide adequate assistance
10 and information with respect to the quality and use
11 of assistive technology devices and assistive tech-
12 nology services to targeted individuals.

13 (14) There are changes in the delivery of assist-
14 ive technology devices and assistive technology serv-
15 ices, including—

16 (A) the impact of the increased prevalence
17 of managed care entities as payors for assistive
18 technology devices and assistive technology
19 services;

20 (B) an increased focus on universal design;

21 (C) the increased importance of assistive
22 technology in employment, as more individuals
23 with disabilities move from public assistance to
24 work through training and on-the-job accom-
25 modations;

1 ~~(D)~~ the role and impact that new tech-
2 nologies have on how individuals with disabili-
3 ties will learn about, access, and participate in
4 programs or services that will affect their lives;
5 and

6 ~~(E)~~ the increased role that telecommuni-
7 cations play in education, employment, health
8 care, and social activities.

9 ~~(b)~~ PURPOSES.—The purposes of this Act are—

10 ~~(1)~~ to provide financial assistance to States to
11 undertake activities that assist each State in main-
12 taining and strengthening a permanent comprehen-
13 sive statewide program of technology-related assist-
14 ance, for individuals with disabilities of all ages, that
15 is designed to—

16 ~~(A)~~ increase the availability of, funding
17 for, access to, and provision of, assistive tech-
18 nology devices and assistive technology services;

19 ~~(B)~~ increase the active involvement of indi-
20 viduals with disabilities and their family mem-
21 bers, guardians, advocates, and authorized rep-
22 resentatives, in the maintenance, improvement,
23 and evaluation of such a program;

24 ~~(C)~~ increase the involvement of individuals
25 with disabilities and, if appropriate, their family

1 members, guardians, advocates, and authorized
2 representatives, in decisions related to the pro-
3 vision of assistive technology devices and assist-
4 ive technology services;

5 (D) increase the provision of outreach to
6 underrepresented populations and rural popu-
7 lations, to enable the 2 populations to enjoy the
8 benefits of activities carried out under this Act
9 to the same extent as other populations;

10 (E) increase and promote coordination
11 among State agencies, between State and local
12 agencies, among local agencies, and between
13 State and local agencies and private entities
14 (such as managed care providers), that are in-
15 volved or are eligible to be involved in carrying
16 out activities under this Act;

17 (F)(i) increase the awareness of laws, reg-
18 ulations, policies, practices, procedures, and or-
19 ganizational structures, that facilitate the avail-
20 ability or provision of assistive technology de-
21 vices and assistive technology services; and

22 (ii) facilitate the change of laws, regula-
23 tions, policies, practices, procedures, and orga-
24 nizational structures, to obtain increased avail-

1 ability or provision of assistive technology de-
2 vices and assistive technology services;

3 (G) increase the probability that individ-
4 uals with disabilities of all ages will, to the ex-
5 tent appropriate, be able to secure and main-
6 tain possession of assistive technology devices
7 as such individuals make the transition between
8 services offered by human service agencies or
9 between settings of daily living (for example,
10 between home and work);

11 (H) enhance the skills and competencies of
12 individuals involved in providing assistive tech-
13 nology devices and assistive technology services;

14 (I) increase awareness and knowledge of
15 the benefits of assistive technology devices and
16 assistive technology services among targeted in-
17 dividuals;

18 (J) increase the awareness of the needs of
19 individuals with disabilities of all ages for as-
20 sistive technology devices and for assistive tech-
21 nology services; and

22 (K) increase the capacity of public agencies
23 and private entities to provide and pay for as-
24 sistive technology devices and assistive tech-

1 nology services on a statewide basis for individ-
2 uals with disabilities of all ages;

3 ~~(2)~~ to identify Federal policies that facilitate
4 payment for assistive technology devices and assist-
5 ive technology services; to identify those Federal
6 policies that impede such payment, and to eliminate
7 inappropriate barriers to such payment; and

8 ~~(3)~~ to enhance the ability of the Federal Gov-
9 ernment to—

10 ~~(A)~~ provide States with financial assistance
11 that supports—

12 ~~(i)~~ information and public awareness
13 programs relating to the provision of as-
14 sistive technology devices and assistive
15 technology services;

16 ~~(ii)~~ improved interagency and public-
17 private coordination, especially through
18 new and improved policies, that result in
19 increased availability of assistive tech-
20 nology devices and assistive technology
21 services; and

22 ~~(iii)~~ technical assistance and training
23 in the provision or use of assistive tech-
24 nology devices and assistive technology
25 services; and

1 (B) fund national, regional, State, and
2 local targeted initiatives that promote under-
3 standing of and access to assistive technology
4 devices and assistive technology services for tar-
5 geted individuals.

6 **SEC. 3. DEFINITIONS AND RULE.**

7 (a) **DEFINITIONS.**—In this Act:

8 (1) **ADVOCACY SERVICES.**—The term “advocacy
9 services”, except as used as part of the term “pro-
10 tection and advocacy services”, means services pro-
11 vided to assist individuals with disabilities and their
12 family members, guardians, advocates, and author-
13 ized representatives in accessing assistive technology
14 devices and assistive technology services.

15 (2) **ASSISTIVE TECHNOLOGY.**—The term “as-
16 sistive technology” means technology designed to be
17 utilized in an assistive technology device or assistive
18 technology service.

19 (3) **ASSISTIVE TECHNOLOGY DEVICE.**—The
20 term “assistive technology device” means any item,
21 piece of equipment, or product system, whether ac-
22 quired commercially, modified, or customized, that is
23 used to increase, maintain, or improve functional ca-
24 pabilities of individuals with disabilities.

1 (4) ASSISTIVE TECHNOLOGY SERVICE.—The
2 term “assistive technology service” means any serv-
3 ice that directly assists an individual with a disabil-
4 ity in the selection, acquisition, or use of an assistive
5 technology device. Such term includes—

6 (A) the evaluation of the assistive tech-
7 nology needs of an individual with a disability,
8 including a functional evaluation of the impact
9 of the provision of appropriate assistive tech-
10 nology and appropriate services to the individ-
11 ual in the customary environment of the indi-
12 vidual;

13 (B) services consisting of purchasing, leas-
14 ing, or otherwise providing for the acquisition
15 of assistive technology devices by individuals
16 with disabilities;

17 (C) services consisting of selecting, design-
18 ing, fitting, customizing, adapting, applying,
19 maintaining, repairing, or replacing assistive
20 technology devices;

21 (D) coordination and use of necessary
22 therapies, interventions, or services with assist-
23 ive technology devices, such as therapies, inter-
24 ventions or services associated with education
25 and rehabilitation plans and programs;

1 ~~(E)~~ training or technical assistance for an
 2 individual with disabilities; or, where appro-
 3 priate, the family members, guardians, advo-
 4 cates, or authorized representatives of such an
 5 individual; and

6 ~~(F)~~ training or technical assistance for
 7 professionals (including individuals providing
 8 education and rehabilitation services); employ-
 9 ers; or other individuals who provide services to,
 10 employ, or are otherwise substantially involved
 11 in the major life functions of individuals with
 12 disabilities.

13 ~~(5)~~ CAPACITY BUILDING AND ADVOCACY AC-
 14 TIVITIES.—The term “capacity building and advo-
 15 cacy activities” means efforts that—

16 ~~(A)~~ result in laws, regulations, policies,
 17 practices, procedures, or organizational struc-
 18 tures that promote consumer-responsive pro-
 19 grams or entities; and

20 ~~(B)~~ facilitate and increase access to, provi-
 21 sion of, and funding for, assistive technology
 22 devices and assistive technology services;
 23 in order to empower individuals with disabilities to
 24 achieve greater independence, productivity, and inte-

1 gration and inclusion within the community and the
2 workforce.

3 (6) ~~COMPREHENSIVE STATEWIDE PROGRAM OF~~
4 ~~TECHNOLOGY-RELATED ASSISTANCE.~~—The term
5 “comprehensive statewide program of technology-re-
6 lated assistance” means a consumer-responsive pro-
7 gram of technology-related assistance for individuals
8 with disabilities, implemented by a State, and equal-
9 ly available to all individuals with disabilities resid-
10 ing in the State, regardless of their type of disabil-
11 ity, age, income level, or location of residence in the
12 State, or the type of assistive technology device or
13 assistive technology service required.

14 (7) ~~CONSUMER-RESPONSIVE.~~—The term “con-
15 sumer-responsive”—

16 (A) with regard to policies, means that the
17 policies are consistent with the principles of—

18 (i) respect for individual dignity, per-
19 sonal responsibility, self-determination, and
20 pursuit of meaningful careers, based on in-
21 formed choice, of individuals with disabil-
22 ities;

23 (ii) respect for the privacy, rights, and
24 equal access (including the use of acces-
25 sible formats) of such individuals;

1 (iii) inclusion, integration, and full
2 participation of such individuals in society;

3 (iv) support for the involvement in de-
4 cisions of a family member, a guardian, an
5 advocate, or an authorized representative,
6 if an individual with a disability requests,
7 desires, or needs such involvement; and

8 (v) support for individual and systems
9 advocacy and community involvement; and

10 (B) with respect to an entity, program, or
11 activity, means that the entity, program, or ac-
12 tivity—

13 (i) is easily accessible to, and usable
14 by, individuals with disabilities and, when
15 appropriate, their family members, guard-
16 ians, advocates, or authorized representa-
17 tives;

18 (ii) responds to the needs of individ-
19 uals with disabilities in a timely and appro-
20 priate manner; and

21 (iii) facilitates the full and meaningful
22 participation of individuals with disabilities
23 (including individuals from underrep-
24 resented populations and rural popu-
25 lations) and their family members, guard-

1 ians, advocates, and authorized representa-
2 tives, in—

3 (I) decisions relating to the provi-
4 sion of assistive technology devices
5 and assistive technology services to
6 such individuals; and

7 (II) decisions related to the
8 maintenance, improvement, and eval-
9 uation of the comprehensive statewide
10 program of technology-related assist-
11 ance, including decisions that affect
12 advocacy, capacity building, and ca-
13 pacity building and advocacy activi-
14 ties.

15 (8) **DISABILITY.**—The term “disability” means
16 a condition of an individual that is considered to be
17 a disability or handicap for the purposes of any Fed-
18 eral law other than this Act or for the purposes of
19 the law of the State in which the individual resides.

20 (9) **INDIVIDUAL WITH A DISABILITY; INDIVID-**
21 **UALS WITH DISABILITIES.**—

22 (A) **INDIVIDUAL WITH A DISABILITY.**—The
23 term “individual with a disability” means any
24 individual of any age, race, or ethnicity—

25 (i) who has a disability; and

1 (ii) who is or would be enabled by an
 2 assistive technology device or an assistive
 3 technology service to minimize deteriora-
 4 tion in functioning; to maintain a level of
 5 functioning; or to achieve a greater level of
 6 functioning in any major life activity.

7 (B) INDIVIDUALS WITH DISABILITIES.—

8 The term “individuals with disabilities” means
 9 more than 1 individual with a disability.

10 (10) INSTITUTION OF HIGHER EDUCATION.—

11 The term “institution of higher education” has the
 12 meaning given such term in section 1201(a) of the
 13 Higher Education Act of 1965 (20 U.S.C. 1141(a)),
 14 and includes a community college receiving funding
 15 under the Tribally Controlled Community College
 16 Assistance Act of 1978 (25 U.S.C. 1801 et seq.).

17 (11) PROTECTION AND ADVOCACY SERVICES.—

18 The term “protection and advocacy services” means
 19 services that—

20 (A) are described in part C of the Develop-
 21 mental Disabilities Assistance and Bill of
 22 Rights Act (42 U.S.C. 6041 et seq.); the Pro-
 23 tection and Advocacy for Mentally Ill Individ-
 24 uals Act of 1986 (42 U.S.C. 10801 et seq.); or

1 section 509 of the Rehabilitation Act of 1973;
2 and

3 ~~(B) assist individuals with disabilities with~~
4 ~~respect to assistive technology devices and as-~~
5 ~~sistive technology services.~~

6 ~~(12) SECRETARY.—The term “Secretary”~~
7 ~~means the Secretary of Education.~~

8 ~~(13) STATE.—~~

9 ~~(A) IN GENERAL.—Except as provided in~~
10 ~~subparagraph (B) and section 302, the term~~
11 ~~“State” means each of the several States of the~~
12 ~~United States, the District of Columbia, the~~
13 ~~Commonwealth of Puerto Rico, the United~~
14 ~~States Virgin Islands, Guam, American Samoa,~~
15 ~~and the Commonwealth of the Northern Mari-~~
16 ~~ana Islands.~~

17 ~~(B) OUTLYING AREAS.—In sections~~
18 ~~101(e), 102(e), 103(d), and 104(b):~~

19 ~~(i) OUTLYING AREA.—The term “out-~~
20 ~~lying area” means the United States Vir-~~
21 ~~gin Islands, Guam, American Samoa, and~~
22 ~~the Commonwealth of the Northern Mari-~~
23 ~~ana Islands.~~

24 ~~(ii) STATE.—The term “State” does~~
25 ~~not include the United States Virgin Is-~~

1 lands, Guam, American Samoa, and the
2 Commonwealth of the Northern Mariana
3 Islands.

4 ~~(14) TARGETED INDIVIDUALS.—~~The term “tar-
5 geted individuals” means—

6 ~~(A)~~ individuals with disabilities of all ages
7 and their family members, guardians, advo-
8 cates, and authorized representatives;

9 ~~(B)~~ individuals who work for public or pri-
10 vate entities (including insurers or managed
11 care providers); that have contact with individ-
12 uals with disabilities;

13 ~~(C)~~ educators and related services person-
14 nel;

15 ~~(D)~~ technology experts (including engi-
16 neers);

17 ~~(E)~~ health and allied health professionals;

18 ~~(F)~~ employers; and

19 ~~(G)~~ other appropriate individuals and enti-
20 ties.

21 ~~(15) TECHNOLOGY-RELATED ASSISTANCE.—~~

22 The term “technology-related assistance” means as-
23 sistance provided through capacity building and ad-
24 vocaey activities that accomplish the purposes de-

1 scribed in any of subparagraphs (A) through (K) of
2 section 2(b)(1).

3 (16) UNDERREPRESENTED POPULATION.—The
4 term “underrepresented population” means a popu-
5 lation that is typically underrepresented in service
6 provision, and includes populations such as persons
7 who have low-incidence disabilities, persons who are
8 minorities, poor persons, persons with limited-
9 English proficiency, older individuals, or persons
10 from rural areas.

11 (17) UNIVERSAL DESIGN.—The term “universal
12 design” means a concept or philosophy for designing
13 and delivering products and services that are usable
14 by people with the widest possible range of func-
15 tional capabilities, which include products and serv-
16 ices that are directly usable (without requiring as-
17 sistive technologies) and products and services that
18 are made usable with assistive technologies.

19 (b) REFERENCES.—References in this Act to a provi-
20 sion of the Technology-Related Assistance for Individuals
21 With Disabilities Act of 1988 shall be considered to be
22 references to such provision as in effect on the day before
23 the date of enactment of this Act.

1 **TITLE I—STATE GRANT**
 2 **PROGRAMS**

3 **SEC. 101. CONTINUITY GRANTS FOR STATES THAT RE-**
 4 **CEIVED FUNDING FOR A LIMITED PERIOD**
 5 **FOR TECHNOLOGY-RELATED ASSISTANCE.**

6 (a) GRANTS TO STATES.—

7 (1) IN GENERAL.—The Secretary shall award
 8 grants, in accordance with this section, to eligible
 9 States to support capacity building and advocacy ac-
 10 tivities, designed to assist the States in maintaining
 11 permanent comprehensive statewide programs of
 12 technology-related assistance that accomplish the
 13 purposes described in section 2(b)(1).

14 (2) ELIGIBLE STATES.—To be eligible to re-
 15 ceive a grant under this section a State shall be a
 16 State that received grants for less than 10 years
 17 under title I of the Technology-Related Assistance
 18 for Individuals With Disabilities Act of 1988.

19 (b) USE OF FUNDS.—

20 (1) IN GENERAL.—Any State that receives a
 21 grant under this section shall use the funds made
 22 available through the grant to carry out the activi-
 23 ties described in paragraph (2) and may use the
 24 funds to carry out the activities described in para-
 25 graph (3).

1 (2) MANDATORY ACTIVITIES.—

2 (A) PUBLIC AWARENESS PROGRAM.—

3 (i) IN GENERAL.—The State shall
4 support a public awareness program de-
5 signed to provide information to targeted
6 individuals relating to the availability and
7 benefits of assistive technology devices and
8 assistive technology services.

9 (ii) LINK.—Such a public awareness
10 program shall have an electronic link to
11 the National Public Internet Site author-
12 ized under section 106(e)(1).

13 (iii) CONTENTS.—The public aware-
14 ness program may include—

15 (I) the development and dissemi-
16 nation of information relating to—

17 (aa) the nature of assistive
18 technology devices and assistive
19 technology services;

20 (bb) the appropriateness of,
21 cost of, availability of, evaluation
22 of, and access to, assistive tech-
23 nology devices and assistive tech-
24 nology services; and

1 (cc) the benefits of assistive
2 technology devices and assistive
3 technology services with respect
4 to enhancing the capacity of indi-
5 viduals with disabilities of all
6 ages to perform activities of daily
7 living;

8 (II) the development of proce-
9 dures for providing direct communica-
10 tion between providers of assistive
11 technology and targeted individuals;
12 and

13 (III) the development and dis-
14 semination, to targeted individuals, of
15 information about State efforts relat-
16 ed to assistive technology.

17 (B) INTERAGENCY COORDINATION.—

18 (i) IN GENERAL.—The State shall de-
19 velop and promote the adoption of policies
20 that improve access to assistive technology
21 devices and assistive technology services
22 for individuals with disabilities of all ages
23 in the State and that result in improved
24 coordination among public and private en-
25 tities that are responsible or have the au-

1 thority to be responsible, for policies, pro-
 2 cedures, or funding for, or the provision of
 3 assistive technology devices and assistive
 4 technology services to, such individuals.

5 (ii) APPOINTMENT TO CERTAIN IN-
 6 FORMATION TECHNOLOGY PANELS.—The
 7 State shall appoint the director of the lead
 8 agency described in subsection (d) or the
 9 designee of the director, to any committee,
 10 council, or similar organization created by
 11 the State to assist the State in the develop-
 12 ment of the information technology policy
 13 of the State.

14 (iii) COORDINATION ACTIVITIES.—The
 15 development and promotion described in
 16 clause (i) may include support for—

17 (I) policies that result in im-
 18 proved coordination, including coordi-
 19 nation between public and private en-
 20 tities—

21 (aa) in the application of
 22 Federal and State policies;

23 (bb) in the use of resources
 24 and services relating to the provi-
 25 sion of assistive technology de-

1 vices and assistive technology
 2 services, including the use of
 3 interagency agreements; and

4 (cc) in the improvement of
 5 access to assistive technology de-
 6 vices and assistive technology
 7 services for individuals with dis-
 8 abilities of all ages in the State;

9 (II) convening interagency work
 10 groups, involving public and private
 11 entities, to identify, create, or expand
 12 funding options, and coordinate access
 13 to funding, for assistive technology de-
 14 vices and assistive technology services
 15 for individuals with disabilities of all
 16 ages; or

17 (III) documenting and dissemi-
 18 nating information about interagency
 19 activities that promote coordination,
 20 including coordination between public
 21 and private entities, with respect to
 22 assistive technology devices and assist-
 23 ive technology services.

24 (C) TECHNICAL ASSISTANCE AND TRAIN-
 25 ING.—The State shall carry out directly, or pro-

1 vide support to public or private entities to
2 carry out, technical assistance and training ac-
3 tivities for targeted individuals, including—

4 (i) the development and implementa-
5 tion of laws, regulations, policies, practices,
6 procedures, or organizational structures
7 that promote access to assistive technology
8 devices and assistive technology services
9 for individuals with disabilities in edu-
10 cation, health care, employment, and com-
11 munity living contexts, and in other con-
12 texts such as leisure activities and the use
13 of telecommunications;

14 (ii)(I) the development of training ma-
15 terials and the conduct of training in the
16 use of assistive technology devices and as-
17 sistive technology services; and

18 (ii)(II) the provision of technical assist-
19 ance, including technical assistance con-
20 cerning how—

21 (aa) to consider the needs of an
22 individual with a disability for assist-
23 ive technology devices and assistive
24 technology services in developing any

1 individualized plan or program au-
2 thorized under Federal or State law;

3 (bb) the rights of targeted indi-
4 viduals to assistive technology devices
5 and assistive technology services are
6 addressed under laws other than this
7 Act, to promote fuller independence,
8 productivity, and inclusion in and in-
9 tegration into society of such individ-
10 uals; or

11 (cc) to increase consumer partici-
12 pation in the identification, planning,
13 use, delivery, and evaluation of assist-
14 ive technology devices and assistive
15 technology services; and

16 (iii)(I) the enhancement of the assist-
17 ive technology skills and competencies of—

18 (aa) individuals who work for
19 public or private entities (including in-
20 surers and managed care providers),
21 who have contact with individuals
22 with disabilities;

23 (bb) educators and related serv-
24 ices personnel;

1 (cc) technology experts (including
2 engineers);

3 (dd) health and allied health pro-
4 fessionals;

5 (ee) employers; and

6 (ff) other appropriate personnel;

7 and

8 (H) taking action to facilitate the de-
9 velopment of standards, or, when appro-
10 priate, the application of such standards,
11 to ensure the availability of qualified per-
12 sonnel.

13 (D) OUTREACH.—The State shall provide
14 support to statewide and community-based or-
15 ganizations that provide assistive technology de-
16 vices and assistive technology services to indi-
17 viduals with disabilities or that assist individ-
18 uals with disabilities in using assistive tech-
19 nology devices and assistive technology services,
20 including a focus on organizations assisting in-
21 dividuals from underrepresented populations
22 and rural populations. Such support may in-
23 clude outreach to consumer organizations and
24 groups in the State to coordinate efforts (in-
25 cluding self-help, support group activities, and

1 peer mentoring) to assist individuals with dis-
 2 abilities of all ages and their family members,
 3 guardians, advocates, or authorized representa-
 4 tives, to obtain funding for, access to, and in-
 5 formation on evaluation of assistive technology
 6 devices and assistive technology services.

7 ~~(3) DISCRETIONARY ACTIVITIES.—~~

8 ~~(A) ALTERNATIVE STATE-FINANCED SYS-~~
 9 ~~TEMS.—~~The State may support activities to in-
 10 crease access to, and funding for, assistive tech-
 11 nology devices and assistive technology services,
 12 including—

13 (i) the development of systems that
 14 provide assistive technology devices and as-
 15 sistive technology services to individuals
 16 with disabilities of all ages, and that pay
 17 for such devices and services, such as—

18 ~~(I)~~ the development of systems
 19 for the purchase, lease, other acquisi-
 20 tion, or payment for the provision, of
 21 assistive technology devices and assist-
 22 ive technology services; or

23 ~~(II)~~ the establishment of alter-
 24 native State or privately financed sys-
 25 tems of subsidies for the provision of

1 assistive technology devices and assist-
2 ive technology services, such as—

3 (aa) a low-interest loan
4 fund;

5 (bb) an interest buy-down
6 program;

7 (cc) a revolving loan fund;

8 (dd) a loan guarantee or in-
9 surance program;

10 (ee) a program operated by
11 a partnership among private enti-
12 ties for the purchase, lease, or
13 other acquisition of assistive
14 technology devices or assistive
15 technology services; or

16 (ff) another mechanism that
17 meets the requirements of title
18 III and is approved by the Sec-
19 retary;

20 (ii) the short-term loan of assistive
21 technology devices to individuals, employ-
22 ers, public agencies, or public accommoda-
23 tions seeking strategies to comply with the
24 Americans with Disabilities Act of 1990
25 (42 U.S.C. 12101 et seq.) and section 504

1 of the Rehabilitation Act of 1973 (29
2 U.S.C. 794); or

3 (iii) the maintenance of information
4 about, and recycling centers for, the redis-
5 tribution of assistive technology devices
6 and equipment, which may include redis-
7 tribution through device and equipment
8 loans, rentals, or gifts.

9 (B) DEMONSTRATIONS.—The State, in col-
10 laboration with other entities in established,
11 recognized community settings (such as non-
12 profit organizations, libraries, schools, commu-
13 nity-based employer organizations, churches,
14 and entities operating senior citizen centers,
15 shopping malls, and health clinics); may dem-
16 onstrate assistive technology devices in settings
17 where targeted individuals can see and try out
18 assistive technology devices, and learn more
19 about the devices from personnel who are famil-
20 iar with such devices and their applications or
21 can be referred to other entities who have infor-
22 mation on the devices.

23 (C) OPTIONS FOR SECURING DEVICES AND
24 SERVICES.—The State, through public agencies
25 or nonprofit organizations, may support assist-

1 ance to individuals with disabilities and their
2 family members, guardians, advocates, and au-
3 thorized representatives about options for secur-
4 ing assistive technology devices and assistive
5 technology services that would meet individual
6 needs for such assistive technology devices and
7 assistive technology services. Such assistance
8 shall not include direct payment for an assistive
9 technology device.

10 ~~(D)~~ TECHNOLOGY-RELATED INFORMA-
11 TION.—

12 (i) IN GENERAL.—The State may op-
13 erate and expand a system for public ac-
14 cess to information concerning an activity
15 carried out under another paragraph of
16 this subsection, including information
17 about assistive technology devices and as-
18 sistive technology services, funding sources
19 and costs of such devices and services, and
20 individuals, organizations, and agencies ca-
21 pable of carrying out such an activity for
22 individuals with disabilities. The system
23 shall be part of, and complement the infor-
24 mation that is available through a link to,

1 the National Public Internet Site described
2 in section 106(e)(1).

3 (ii) ACCESS.—Access to the system
4 may be provided through community-based
5 locations, including public libraries, centers
6 for independent living (as defined in sec-
7 tion 702 of the Rehabilitation Act of
8 1973), locations of community rehabilita-
9 tion programs (as defined in section 7 of
10 such Act), schools, senior citizen centers,
11 State vocational rehabilitation offices,
12 other State workforce offices, and other lo-
13 cations frequented or used by the public.

14 (iii) INFORMATION COLLECTION AND
15 PREPARATION.—In operating or expanding
16 a system described in subparagraph (A),
17 the State may—

18 (I) develop, compile, and cat-
19 egorize print, large print, braille,
20 audio, and video materials, computer
21 disks, compact discs (including com-
22 pact discs formatted with read-only
23 memory), information in alternative
24 formats that can be used in telephone-
25 based information systems, and mate-

1 rials using such other media as tech-
2 nological innovation may make appro-
3 priate;

4 (II) identify and classify funding
5 sources for obtaining assistive tech-
6 nology devices and assistive tech-
7 nology services; and the conditions of
8 and criteria for access to such
9 sources; including any funding mecha-
10 nisms or strategies developed by the
11 State;

12 (III) identify support groups and
13 systems designed to help individuals
14 with disabilities make effective use of
15 an activity carried out under another
16 paragraph of this subsection; includ-
17 ing groups that provide evaluations of
18 assistive technology devices and assist-
19 ive technology services; and

20 (IV) maintain a record of the ex-
21 tent to which citizens of the State use
22 or make inquiries of the system estab-
23 lished in clause (i); and of the nature
24 of such inquiries.

25 (E) INTERSTATE ACTIVITIES.—

1 (i) IN GENERAL.—The State may
2 enter into cooperative agreements with
3 other States to expand the capacity of the
4 States involved to assist individuals with
5 disabilities of all ages to learn about, ac-
6 quire, use, maintain, adapt, and upgrade
7 assistive technology devices and assistive
8 technology services that such individuals
9 need at home, at school, at work, or in
10 other environments that are part of daily
11 living.

12 (ii) ELECTRONIC COMMUNICATION.—
13 The State may operate or participate in an
14 electronic information exchange through
15 which the State may communicate with
16 other States to gain technical assistance in
17 a timely fashion and to avoid the duplica-
18 tion of efforts already undertaken in other
19 States.

20 (F) PARTNERSHIPS AND COOPERATIVE INI-
21 TIATIVES.—The State may support partner-
22 ships and cooperative initiatives between the
23 public sector and the private sector to promote
24 greater participation by business and industry
25 in—

1 (i) the development, demonstration,
2 and dissemination of assistive technology
3 devices; and

4 (ii) the ongoing provision of informa-
5 tion about new products to assist individ-
6 uals with disabilities.

7 (G) EXPENSES.—The State may pay for
8 expenses, including travel expenses, and serv-
9 ices, including services of qualified interpreters,
10 readers, and personal care assistants, that may
11 be necessary to ensure access to the comprehen-
12 sive statewide program of technology-related as-
13 sistance by individuals with disabilities who are
14 determined by the State to be in financial need
15 and not eligible for such payments or services
16 through another public agency or private entity.

17 (H) ADVOCACY SERVICES.—The State may
18 provide advocacy services.

19 (I) AMOUNT OF FINANCIAL ASSISTANCE.—

20 (1) GRANTS TO OUTLYING AREAS.—From the
21 funds appropriated under section 107(a) and re-
22 served under clause (i) of subparagraph (A), (B), or
23 (C) of section 107(b)(1) for any fiscal year for
24 grants under this section, the Secretary shall make

1 a grant in an amount of not more than \$105,000 to
2 each eligible outlying area.

3 ~~(2) GRANTS TO STATES.—~~From the funds de-
4 scribed in paragraph (1) that are not used to make
5 grants under paragraph (1), the Secretary shall
6 make grants to States in accordance with the re-
7 quirements described in paragraph (3).

8 ~~(3) CALCULATION OF STATE GRANTS.—~~

9 ~~(A) CALCULATIONS FOR GRANTS IN THE~~
10 ~~SECOND OR THIRD YEAR OF A SECOND EXTEN-~~
11 ~~SION GRANT.—~~For any fiscal year, the Sec-
12 retary shall calculate the amount of a grant
13 under paragraph (2) for each eligible State that
14 would be in the second or third year of a second
15 extension grant made under section 103 of the
16 Technology-Related Assistance for Individuals
17 With Disabilities Act of 1988, if that Act had
18 been reauthorized for that fiscal year, in ac-
19 cordance with section 103(c)(2) of such Act.

20 ~~(B) CALCULATIONS FOR GRANTS IN THE~~
21 ~~FOURTH OR FIFTH YEAR OF A SECOND EXTEN-~~
22 ~~SION GRANT.—~~

23 ~~(i) FOURTH YEAR.—~~An eligible State
24 that would have been in the fourth year of
25 a second extension grant made under sec-

1 tion 103 of the Technology-Related Assist-
2 ance for Individuals With Disabilities Act
3 of 1988 during a fiscal year, if that Act
4 had been reauthorized for that fiscal year,
5 shall receive under paragraph (2) a grant
6 in an amount equal to 75 percent of the
7 funding that the State received in the prior
8 fiscal year under section 103 of that Act or
9 under this section, as appropriate.

10 (ii) FIFTH YEAR.—An eligible State
11 that would have been in the fifth year of
12 a second extension grant made under sec-
13 tion 103 of the Technology-Related Assist-
14 ance for Individuals With Disabilities Act
15 of 1988 during a fiscal year, if that Act
16 had been reauthorized for that fiscal year,
17 shall receive under paragraph (2) a grant
18 in an amount equal to 66⅔ percent of the
19 funding that the State received in the prior
20 fiscal year under section 103 of that Act or
21 under this section, as appropriate.

22 (C) ADDITIONAL STATES.—

23 (i) IN GENERAL.—For purposes of
24 this paragraph, the Secretary shall treat a
25 State described in clause (ii)—

1 (I) for fiscal years 1999 through
2 2001, as if the State were a State de-
3 scribed in subparagraph (A); and

4 (II) for fiscal year 2002 or 2003,
5 as if the State were a State described
6 in clause (i) or (ii), respectively, of
7 subparagraph (B).

8 (ii) STATE.—A State referred to in
9 clause (i) shall be a State that—

10 (I) in fiscal year 1998, was in the
11 second year of an initial extension
12 grant made under section 103 of the
13 Technology-Related Assistance for In-
14 dividuals With Disabilities Act of
15 1988; and

16 (II) meets such terms and condi-
17 tions as the Secretary shall determine
18 to be appropriate.

19 (d) LEAD AGENCY.—

20 (1) IDENTIFICATION.—

21 (A) IN GENERAL.—To be eligible to receive
22 a grant under this section, a State shall des-
23 ignate a lead agency to carry out appropriate
24 State functions under this section. The lead
25 agency shall be the current agency (as of the

1 date of submission of the application supple-
2 ment described in subsection (e)) administering
3 the grant awarded to the State for fiscal year
4 1998 under title I of the Technology-Related
5 Assistance for Individuals With Disabilities Act
6 of 1988, except as provided in subparagraph
7 (B).

8 (B) CHANGE IN AGENCY.—The Governor
9 may change the lead agency if the Governor
10 shows good cause to the Secretary why the des-
11 ignated lead agency should be changed, in the
12 application supplement described in subsection
13 (e), and obtains approval of the supplement.

14 (2) DUTIES OF THE LEAD AGENCY.—The du-
15 ties of the lead agency shall include—

16 (A) submitting the application supplement
17 described in subsection (e) on behalf of the
18 State;

19 (B) administering and supervising the use
20 of amounts made available under the grant re-
21 ceived by the State under this section;

22 (C)(i) coordinating efforts related to, and
23 supervising the preparation of, the application
24 supplement described in subsection (e);

1 (ii) continuing the coordination of the
 2 maintenance and evaluation of the comprehen-
 3 sive statewide program of technology-related as-
 4 sistance among public agencies and between
 5 public agencies and private entities, including
 6 coordinating efforts related to entering into
 7 interagency agreements; and

8 (iii) continuing the coordination of efforts,
 9 especially efforts carried out with entities that
 10 provide protection and advocacy services de-
 11 scribed in section 104, related to the active,
 12 timely, and meaningful participation by individ-
 13 uals with disabilities and their family members,
 14 guardians, advocates, or authorized representa-
 15 tives, and other appropriate individuals, with
 16 respect to activities carried out under the grant;
 17 and

18 (D) the delegation, in whole or in part, of
 19 any responsibilities described in subparagraph
 20 (A), (B), or (C) to 1 or more appropriate of-
 21 fices, agencies, entities, or individuals.

22 (e) APPLICATION SUPPLEMENT.—

23 (1) SUBMISSION.—Any State that desires to re-
 24 ceive a grant under this section shall submit to the
 25 Secretary an application supplement to the applica-

1 tion the State submitted under section 103 of the
2 Technology-Related Assistance for Individuals With
3 Disabilities Act of 1988, at such time, in such man-
4 ner, and for such period as the Secretary may speci-
5 fy, that contains the following information:

6 (A) GOALS AND ACTIVITIES.—A descrip-
7 tion of—

8 (i) the goals the State has set, for ad-
9 dressing the assistive technology needs of
10 individuals with disabilities in the State,
11 including any related to—

12 (I) health care;

13 (II) education;

14 (III) employment, including goals
15 involving the State vocational rehabili-
16 tation program carried out under title
17 I of the Rehabilitation Act of 1973;

18 (IV) telecommunication and in-
19 formation technology; or

20 (V) community living, including
21 participation in recreation; and

22 (ii) the activities the State will under-
23 take to achieve such goals, in accordance
24 with the requirements of subsection (b).

1 (B) MEASURES OF GOAL ACHIEVEMENT.—

2 A description of how the State will measure
3 whether the goals set by the State have been
4 achieved.

5 (C) INVOLVEMENT OF INDIVIDUALS WITH
6 DISABILITIES OF ALL AGES AND THEIR FAMI-
7 LIES.—A description of how individuals with
8 disabilities of all ages and their families—

9 (i) were involved in selecting—

10 (I) the goals;

11 (II) the activities to be under-
12 taken in achieving the goals; and

13 (III) the measures to be used in
14 judging if the goals have been
15 achieved; and

16 (ii) will be involved in measuring
17 whether the goals have been achieved.

18 (D) REDESIGNATION OF THE LEAD AGEN-
19 CY.—If the Governor elects to change the lead
20 agency, the following information:

21 (i) With regard to the original lead
22 agency, evidence of—

23 (I) lack of progress in employ-
24 ment of qualified staff;

1 ~~(II)~~ lack of consumer-responsive
2 activities;

3 ~~(III)~~ lack of resource allocation
4 for systems change and advocacy ac-
5 tivities;

6 ~~(IV)~~ lack of progress in meeting
7 the assurances in the application sub-
8 mitted by the State under section
9 102(e) of the Technology-Related As-
10 sistance for Individuals With Disabil-
11 ities Act of 1988; or

12 ~~(V)~~ inadequate fiscal manage-
13 ment.

14 (ii) With regard to the new lead agen-
15 cy, a description of—

16 ~~(I)~~ the capacity of the new lead
17 agency to administer and conduct ac-
18 tivities described in subsection (b) and
19 this paragraph; and

20 ~~(II)~~ the procedures that the State
21 will implement to avoid the defi-
22 ciencies, described in clause (i), of the
23 original lead agency.

1 (iii) Information identifying which
2 agency prepared the application supple-
3 ment.

4 (2) INTERIM STATUS OF STATE OBLIGA-
5 TIONS.—Except as provided in subsection (f)(2),
6 when the Secretary notifies a State that the State
7 shall submit the application supplement to the appli-
8 cation the State submitted under section 103 of the
9 Technology-Related Assistance for Individuals With
10 Disabilities Act of 1988, the Secretary shall specify
11 in the notification the time period for which the ap-
12 plication supplement shall apply, consistent with
13 paragraph (4).

14 (3) CONTINUING OBLIGATIONS.—Each State
15 that receives a grant under this section shall con-
16 tinue to abide by the assurances the State made in
17 the application the State submitted under section
18 103 of the Technology-Related Assistance for Indi-
19 viduals With Disabilities Act of 1988 and continue
20 to comply with reporting requirements under that
21 Act.

22 (4) DURATION OF APPLICATION SUPPLE-
23 MENT.—

24 (A) DETERMINATION.—The Secretary
25 shall determine and specify to the State the

1 time period for which the application supple-
2 ment shall apply, in accordance with subpara-
3 graph (B).

4 (B) LIMIT.—Such time period for any
5 State shall not extend beyond the year that
6 would have been the fifth year of a second ex-
7 tension grant made for that State under section
8 103 of the Technology-Related Assistance for
9 Individuals With Disabilities Act of 1988, if the
10 Act had been reauthorized through that year.

11 (f) OPTIONS RELATED TO FUNDING FOR FISCAL
12 YEARS 1999 THROUGH 2004.—

13 (1) EXTENSIONS.—

14 (A) IN GENERAL.—In the case of a State
15 that was in the fifth year of a second extension
16 grant made under section 103 of the Tech-
17 nology-Related Assistance for Individuals With
18 Disabilities Act of 1988 in fiscal year 1998, the
19 Secretary may, in the discretion of the Sec-
20 retary, award a 1-year extension of the grant
21 received for fiscal year 1999 to such a State if
22 the State submits an application supplement
23 under subsection (e) and meets other related re-
24 quirements for a State seeking a grant under
25 this section.

1 ~~(B) AMOUNT.~~—A State that receives a 1-
 2 year extension of a grant under subparagraph
 3 ~~(A)~~, shall receive through the grant, for fiscal
 4 year 1999, an amount equivalent to the amount
 5 the State received for fiscal year 1998 under
 6 section 103 of the Technology-Related Assist-
 7 ance for Individuals With Disabilities Act of
 8 1988, from funds appropriated under section
 9 107(a) and reserved under clause (i) of sub-
 10 paragraph ~~(A)~~, ~~(B)~~, or ~~(C)~~ of section 107(b)(1)
 11 for grants under this section.

12 ~~(2) CHALLENGE GRANTS.~~—For fiscal year
 13 2000, any State eligible to receive funds under this
 14 section may elect to meet the requirements of and
 15 receive funds under section 102 instead of meeting
 16 the requirements of and receiving funds under this
 17 section. No State may receive funds under this sec-
 18 tion and section 102 for a fiscal year.

19 **SEC. 102. STATE CHALLENGE GRANTS.**

20 ~~(a) GRANTS TO STATES.~~—The Secretary shall award
 21 grants to States to assist the States in maintaining and
 22 improving comprehensive statewide programs of tech-
 23 nology-related assistance for individuals with disabilities
 24 in accordance with the provisions of this section. The Sec-

1 retary shall provide assistance through such a grant to
2 a State for 5 years.

3 (b) USE OF FUNDS.—

4 (1) IN GENERAL.—A State that receives a
5 grant under this section shall use the funds made
6 available through the grant to accomplish the pur-
7 poses described in section 2(b)(1) by carrying out
8 activities described in this subsection, based on an
9 assessment of the needs for assistive technology de-
10 vices and assistive technology services of individuals
11 with disabilities in the State, as reported by such
12 individuals, and through other means. The State
13 shall, in appropriate cases, promote, consider, take
14 into account, and incorporate the principles of uni-
15 versal design.

16 (2) MANDATORY ACTIVITIES.—

17 (A) INTERAGENCY COORDINATION.—The
18 State shall develop and promote the adoption of
19 policies that improve access to assistive tech-
20 nology devices and assistive technology services
21 for individuals with disabilities of all ages in the
22 State and that result in improved coordination
23 among public and private entities that affect
24 the provision of assistive technology devices and
25 assistive technology services for such individ-

1 uals. The State shall appoint the director of the
2 State Assistive Technology Office designated
3 under subsection (d)(1)(A) or the designee of
4 the director, to any committee, council, or simi-
5 lar organization created by the State to assist
6 the State in the development of the information
7 technology policy of the State.

8 (B) ASSISTIVE TECHNOLOGY INFORMATION
9 SYSTEM.—The State shall provide for the con-
10 tinuation and enhancement of a statewide infor-
11 mation and referral system for individuals with
12 disabilities and providers of services for individ-
13 uals with disabilities. The system shall include
14 an accessible Internet site with linkages to
15 other appropriate sites, such as the National
16 Public Internet Site described in section
17 106(e)(1). The system shall provide for public
18 access to information about assistive technology
19 devices and assistive technology services, includ-
20 ing information on the evaluation of such de-
21 vices and services and entities that provide such
22 evaluations, and funding sources for and costs
23 of obtaining such devices and services.

24 (C) PUBLIC AWARENESS PROGRAM.—The
25 State shall support, in collaboration with tar-

1 geted individuals, targeted public awareness
2 campaigns designed to provide information to
3 targeted individuals about the availability,
4 through public and private sources, and bene-
5 fits, of assistive technology devices and assistive
6 technology services.

7 (D) CAPACITY BUILDING AND ADVOCACY
8 ACTIVITIES; TECHNICAL ASSISTANCE AND
9 TRAINING.—

10 (i) IN GENERAL.—The State shall
11 support capacity building and advocacy ac-
12 tivities that include—

13 (H) the development and imple-
14 mentation of laws, regulations, poli-
15 cies, practices, procedures, or organi-
16 zational structures that promote ac-
17 cess to assistive technology devices
18 and assistive technology services for
19 individuals with disabilities in edu-
20 cation, health care, employment, and
21 community living contexts, and in
22 other contexts such as leisure activi-
23 ties and the use of telecommuni-
24 cations; and

1 (H) the training and preparation
2 of personnel to design, build, provide
3 instruction on the use of, repair, and
4 recycle assistive technology devices
5 and to provide assistive technology
6 services.

7 (ii) TARGETED TECHNICAL ASSIST-
8 ANCE AND TRAINING.—The State shall
9 also support public or private entities to
10 carry out targeted technical assistance and
11 training activities.

12 (E) OUTREACH.—The State shall provide
13 support to statewide and community-based or-
14 ganizations that provide assistive technology de-
15 vices and assistive technology services to indi-
16 viduals with disabilities or that assist individ-
17 uals with disabilities in using assistive tech-
18 nology devices and assistive technology services,
19 including a focus on organizations assisting in-
20 dividuals from underrepresented populations
21 and rural populations. Such support may in-
22 clude outreach to consumer organizations and
23 groups in the State to coordinate efforts (in-
24 cluding self-help, support group activities, and
25 peer mentoring) to assist individuals with dis-

1 abilities of all ages and their family members,
2 guardians, advocates, or authorized representa-
3 tives, to obtain funding for, access to, and in-
4 formation on evaluation of assistive technology
5 devices and assistive technology services.

6 ~~(3) DISCRETIONARY ACTIVITIES.—~~A State that
7 receives a grant under this section may use the
8 funds made available through the grant to carry out
9 additional activities that were authorized under the
10 Technology-Related Assistance for Individuals With
11 Disabilities Act of 1988, or other activities identified
12 by the Secretary or the State, to which the Secretary
13 gives approval.

14 ~~(c) AMOUNT OF FINANCIAL ASSISTANCE.—~~

15 ~~(1) GRANTS TO OUTLYING AREAS.—~~From the
16 funds appropriated under section 107(a) and re-
17 served under clause (i) of subparagraph (A), (B), or
18 ~~(C)~~ of section 107(b)(1) for any fiscal year for
19 grants under this section, the Secretary shall make
20 a grant in an amount of not more than \$105,000 to
21 each eligible outlying area.

22 ~~(2) GRANTS TO STATES.—~~From the funds de-
23 scribed in paragraph (1) that are not used to make
24 grants under paragraph (1), the Secretary shall
25 make grants to States from allotments made in ac-

1 eordance with the requirements described in para-
2 graph (3).

3 (3) ALLOTMENTS.—From the funds described
4 in paragraph (1) that are not used to make grants
5 under paragraph (1)—

6 (A) the Secretary shall allot \$500,000 to
7 each State; and

8 (B) from the remainder of the funds—

9 (i) the Secretary shall allot to each
10 State an amount that bears the same ratio
11 to 80 percent of the remainder as the pop-
12 ulation of the State bears to the population
13 of all States; and

14 (ii) the Secretary shall allot to each
15 State with a population density that is not
16 more than 10 percent greater than the
17 population density of the United States
18 (according to the most recently available
19 census data) an equal share from 20 per-
20 cent of the remainder.

21 (d) STATE TECHNOLOGY PLAN.—Any State that de-
22 sires to receive a grant under this section shall submit to
23 the Secretary a plan, at such time, in such manner, and
24 for such period as the Secretary may specify, that contains
25 the following information and assurances:

1 (1) DESIGNATION OF PUBLIC AGENCY AND
2 STATE ASSISTIVE TECHNOLOGY OFFICE.—

3 (A) IN GENERAL.—Information identify-
4 ing, and a description of, the public agency des-
5 igned by the Governor to control and admin-
6 ister the funds made available through the
7 grant awarded to the State under this section,
8 and information identifying the entity des-
9 igned by the Governor to be the State Assist-
10 ive Technology Office (which shall carry out
11 State activities under this section), if such en-
12 tity is different than the designated public
13 agency. In designating the entity to be the
14 State Assistive Technology Office, the Governor
15 may designate—

16 (i) a commission, council, or other of-
17 ficial body appointed by the Governor;

18 (ii) a public-private partnership or
19 consortium;

20 (iii) a public agency, including the im-
21 mediate office of the Governor of the
22 State, a State oversight office, a State
23 agency, a public institution of higher edu-
24 cation, a university-affiliated program, or
25 another public entity;

1 (iv) a council established under Fed-
2 eral or State law; or

3 (v) another appropriate office, agency,
4 entity, or individual.

5 (B) EXPERTISE, EXPERIENCE, AND ABIL-
6 ITY OF STATE ASSISTIVE TECHNOLOGY OF-
7 FICE.—A description demonstrating that the
8 entity designated as the State Assistive Tech-
9 nology Office has the expertise, experience, and
10 ability to—

11 (i) provide leadership in developing
12 State policy related to assistive technology,
13 including policy relating to the procure-
14 ment of accessible electronic and informa-
15 tion technology by State agencies and the
16 incorporation of principles of universal de-
17 sign in the State infrastructure;

18 (ii) respond to assistive technology
19 needs of individuals with disabilities with
20 the full range of disabilities and of all
21 ages;

22 (iii) promote availability throughout
23 the State of assistive technology devices
24 and assistive technology services;

1 (iv) promote and implement system
2 improvement and policy advocacy activities
3 pertaining to assistive technology devices
4 and assistive technology services;

5 (v) work proactively and collaboratively with State agencies and private entities involved in funding and delivering assistive technology devices and assistive technology services;

6 (vi) provide technical assistance for
7 capacity building and advocacy activities
8 and training relating to assistive technology devices and assistive technology services; and enhancement of access to funding for assistive technology; across all State agencies;

9 (vii) promote and develop public-private partnerships related to assistive technology devices and assistive technology services;

10 (viii) exercise leadership in identifying
11 and responding to the technology needs of
12 individuals with disabilities and their family members, guardians, advocates, and authorized representatives; and

1 (ix) promote consumer confidence, re-
2 sponsiveness, and advocacy related to as-
3 sistive technology devices and assistive
4 technology services.

5 (2) INVOLVEMENT OF ENTITIES AND TARGETED
6 INDIVIDUALS IN THE DEVELOPMENT OF THE PLAN
7 AND IMPLEMENTATION OF THE ACTIVITIES.—

8 (A) ENTITIES.—A description of how var-
9 ious public and private entities were involved in
10 the development of the plan and will be involved
11 in the planned implementation of the activities
12 to be carried out under the grant, including a
13 description of the nature and extent of each
14 type of involvement.

15 (B) TARGETED INDIVIDUALS.—A descrip-
16 tion of how targeted individuals, especially indi-
17 viduals with disabilities who use assistive tech-
18 nology, were involved in the development of the
19 plan and will be involved in the planned imple-
20 mentation of the activities, including a descrip-
21 tion of the nature and extent of each type of in-
22 volvement.

23 (3) ADVISORY GROUP.—A description of an ad-
24 visory group of targeted individuals, a majority of
25 whom are individuals with disabilities and parents of

1 such individuals, who will assist the State Assistive
2 Technology Office in identifying the unmet assistive
3 technology needs of individuals with disabilities and
4 assist the Office in deciding how the assistive tech-
5 nology needs of such individuals will be addressed by
6 the State.

7 (4) NEEDS ASSESSMENT.—A description and
8 the results of a needs assessment from which the
9 goals described in paragraph (7) were derived.

10 (5) STATE RESOURCES.—A description of State
11 resources and other resources that are available to
12 commit to the maintenance of the comprehensive
13 statewide program of technology-related assistance.

14 (6) ELECTRONIC AND INFORMATION TECH-
15 NOLOGY.—An assurance that the State, and any re-
16 cipient of funds made available to the State under
17 this section, not later than fiscal year 2001, will
18 have procurement policies and procedures in effect
19 that are consistent with the objectives, complaint
20 procedures, and standards of section 508 of the Re-
21 habilitation Act of 1973.

22 (7) GOALS AND ACTIVITIES.—

23 (A) IN GENERAL.—A description of—

24 (i) the goals the State has set, for ad-
25 dressing the assistive technology needs of

1 individuals with disabilities in the State,
 2 including any goals related to—

3 (I) health care;

4 (II) education;

5 (III) employment, including goals
 6 involving the State vocational rehabili-
 7 tation program carried out under title
 8 I of the Rehabilitation Act of 1973;

9 (IV) telecommunication and in-
 10 formation technology; or

11 (V) community living, including
 12 participation in recreation; and

13 (ii) the activities the State will under-
 14 take to achieve such goals, in accordance
 15 with the requirements of subsection (b).

16 (B) MEASURES OF GOAL ACHIEVEMENT.—

17 A description of how the State will measure
 18 whether the goals set by the State have been
 19 achieved.

20 (C) INVOLVEMENT OF INDIVIDUALS WITH
 21 DISABILITIES OF ALL AGES AND THEIR FAMI-
 22 LIES.—A description of how individuals with
 23 disabilities of all ages and their families—

24 (i) were involved in selecting—

25 (I) the goals;

1 (II) the activities to be under-
2 taken in achieving the goals; and

3 (III) the measures to be used in
4 judging if the goals have been
5 achieved; and

6 (ii) will be involved in measuring
7 whether the goals have been achieved.

8 (8) ANNUAL ASSESSMENT.—An assurance that
9 the State will conduct an annual assessment of the
10 comprehensive statewide program of technology-re-
11 lated assistance, in order to determine—

12 (A) the extent to which the goals described
13 in paragraph (7) have been achieved; and

14 (B) the areas of need that require atten-
15 tion in the next year.

16 (9) DATA COLLECTION.—A description of the
17 data collection system used for compiling informa-
18 tion on the program, which shall be consistent with
19 any standardized data collection requirements speci-
20 fied by the Secretary.

21 (10) USE OF GRANT FUNDS.—An assurance
22 that funds received through the grant will be ex-
23 pended in accordance with the provisions of this sec-
24 tion and of the State technology plan.

1 (11) SUPPLEMENT OTHER FUNDS.—An assur-
2 ance that funds received through the grant—

3 (A) will be used to supplement, and not
4 supplant, funds available from other sources for
5 technology-related assistance, including the pro-
6 vision of assistive technology devices and assist-
7 ive technology services; and

8 (B) will not be used to pay a financial obli-
9 gation for technology-related assistance (includ-
10 ing the provision of assistive technology devices
11 or assistive technology services) that would have
12 been paid with amounts available from other
13 sources if funds made available through the
14 grant had not been available.

15 (12) CONTROL OF FUNDS AND PROPERTY.—An
16 assurance that—

17 (A) the designated public agency shall con-
18 trol and administer funds made available
19 through the grant;

20 (B) the designated public agency shall hold
21 title to and administer property purchased with
22 such funds; and

23 (C) an individual with a disability may
24 control and use such property.

1 (13) REPORTS.—An assurance that the State
2 will—

3 (A) prepare reports to the Secretary at
4 such time, in such manner, and containing such
5 information as the Secretary may require to
6 carry out the functions of the Secretary under
7 this section or section 105; and

8 (B) keep such records and allow access to
9 such records as the Secretary may require to
10 ensure the correctness and verification of infor-
11 mation provided to the Secretary under this
12 paragraph.

13 (14) COMMINGLING OF FUNDS.—

14 (A) IN GENERAL.—An assurance that
15 funds received through the grant will not be
16 commingled with State or other funds.

17 (B) CONSTRUCTION.—Subparagraph (A)
18 shall not be construed to prevent, subject to
19 such requirements as the Secretary may estab-
20 lish concerning documentation satisfactory to
21 the Secretary, pooling of funds received through
22 the grant with other public or private funds to
23 achieve a goal specified in the grant application
24 involved, as approved by the Secretary.

1 (15) FISCAL CONTROL AND ACCOUNTING PRO-
2 CEDURES.—An assurance that the State will adopt
3 such fiscal control and accounting procedures as
4 may be necessary to ensure proper disbursement of
5 and accounting for funds received through the grant.

6 (16) AVAILABILITY OF INFORMATION.—An as-
7 surance that the State will make available to individ-
8 uals with disabilities and their family members,
9 guardians, advocates, or authorized representatives
10 information concerning technology-related assistance
11 in a form that will allow such persons to effectively
12 use such information.

13 (17) AUTHORITY TO USE FUNDS.—An assur-
14 ance that the State Assistive Technology Office will
15 have the authority to use funds made available
16 through a grant awarded under this section.

17 (18) TRAINING ACTIVITIES.—An assurance that
18 the State will develop and implement strategies for
19 including personnel training regarding assistive tech-
20 nology within other federally funded and State fund-
21 ed training initiatives to enhance the assistive tech-
22 nology skills and competencies of personnel.

23 (19) LIMIT ON INDIRECT COSTS.—An assurance
24 that the percentage of the funds made available

1 under the grant that is used for indirect costs shall
 2 not exceed 10 percent.

3 ~~(20) COORDINATION WITH STATE COUNCILS.—~~

4 An assurance that the State Assistive Technology
 5 Office will coordinate the activities funded through
 6 the grant made under this section with the activities
 7 carried out by other councils within the State, in-
 8 cluding—

9 (A) any council or commission specified in
 10 the State plan provision provided by the State
 11 in accordance with section 101(a)(21) of the
 12 Rehabilitation Act of 1973;

13 (B) the Statewide Independent Living
 14 Council established under section 705 of the
 15 Rehabilitation Act of 1973;

16 (C) the advisory panel established under
 17 section 612(a)(21) of the Individuals with Dis-
 18 abilities Education Act ~~(20 U.S.C.~~
 19 ~~1412(a)(21));~~

20 (D) the State Interagency Coordinating
 21 Council established under section 641 of the In-
 22 dividuals with Disabilities Education Act ~~(20~~
 23 ~~U.S.C. 1441);~~

24 (E) the State Developmental Disabilities
 25 Council established under section 124 of the

1 Developmental Disabilities Assistance and Bill
2 of Rights Act (42 U.S.C. 6024);

3 ~~(F)~~ the State mental health planning coun-
4 cil established under section 1914 of the Public
5 Health Service Act (42 U.S.C. 300x-4); and

6 ~~(G)~~ any council established under section
7 204, 206(g)(2)(A), or 712(a)(3)(H) of the
8 Older Americans Act of 1965 (42 U.S.C. 3015,
9 3017(g)(2)(A), or 3058g(a)(3)(H)).

10 ~~(21)~~ OTHER INFORMATION AND ASSUR-
11 ANCES.—Such other information and assurances as
12 the Secretary may reasonably require.

13 ~~(e)~~ PROGRESS REPORTS.—Each State that receives
14 a grant under this section shall annually prepare and sub-
15 mit to the Secretary a report that documents progress in
16 meeting the goals described in subsection ~~(d)~~(7) and main-
17 taining a comprehensive statewide program of technology-
18 related assistance, including—

19 ~~(1)~~ the results of the annual assessment de-
20 scribed in subsection ~~(d)~~(8);

21 ~~(2)~~ to the extent not addressed through the
22 measurement and assessment conducted under para-
23 graph ~~(7)~~ or ~~(8)~~ of subsection ~~(d)~~, a description of
24 the capacity building and advocacy activities carried
25 out by the State, including a description of any writ-

1 ten policies and procedures that the State has devel-
2 oped and implemented regarding access to, provision
3 of, and funding for, assistive technology devices and
4 assistive technology services, particularly policies and
5 procedures regarding access to, provision of, and
6 funding for, such devices and services under edu-
7 cation (including special education), vocational reha-
8 bilitation, and medical assistance programs;

9 (3) if not addressed under paragraph (1) or (2),
10 a description of the degree of involvement of various
11 State agencies and private entities, especially agen-
12 cies and entities involved in providing health insur-
13 ance and education, in the development, implementa-
14 tion, and evaluation of the program, including a de-
15 scription of any interagency agreements that the
16 State has developed and implemented regarding ac-
17 cess to, provision of, and funding for, assistive tech-
18 nology devices and assistive technology services, such
19 as agreements that identify available resources for
20 assistive technology devices and assistive technology
21 services and the responsibility of each such agency
22 or entity for paying for such devices and services;
23 and

24 (4) any other information the Secretary may
25 reasonably require.

1 **SEC. 103. SUPPLEMENTARY MILLENNIUM GRANTS TO**
2 **STATES FOR STATE AND LOCAL CAPACITY**
3 **BUILDING.**

4 (a) GRANTS TO STATES.—

5 (1) IN GENERAL.—The Secretary shall award
6 supplementary grants, on a competitive basis—

7 (A) to States, to carry out 1 or more of
8 the targeted activities described in subsection
9 (b) to expand the capacity of the States to ad-
10 dress the unmet assistive technology needs of
11 individuals with disabilities; or

12 (B) to States, to provide funds to local en-
13 tities on a competitive basis, through subgrants
14 or any other mechanism, to enable each such
15 local entity to carry out 1 of the targeted activi-
16 ties described in subsection (c) to expand the
17 capacity of the local entities to address the
18 unmet needs of individuals with disabilities for
19 assistive technology and assistive technology
20 services, especially the unmet needs of under-
21 represented populations.

22 (2) PERIOD.—The Secretary shall award the
23 grants for periods of not more than 5 years.

24 (3) ELIGIBLE STATES.—To be eligible to re-
25 ceive a grant under this section, a State shall have
26 received a grant under section 102.

1 (b) STATEWIDE CAPACITY BUILDING ACTIVITIES.—

2 The State may use funds made available through a grant
3 described in subsection (a)(1)(A) to carry out 1 or more
4 of the following activities:

5 (1) Obtaining, under State law or through other
6 equivalent means, the compliance of all public agen-
7 cies in the State with section 508 of the Rehabilita-
8 tion Act of 1973, which shall include establishing a
9 mechanism for informing individuals with disabilities
10 of their rights with regard to such section 508, ad-
11 dressing their complaints, and establishing a lead
12 agency to monitor and enforce compliance with such
13 section 508.

14 (2) Developing and implementing, documenting,
15 and reviewing a plan for enhancing the participation
16 of all individuals with disabilities in the State, in
17 education, employment, transportation, and commu-
18 nication, and enhancing general access of the indi-
19 viduals, in ways that complement and exceed the re-
20 quirements for public and private entities under the
21 Americans with Disabilities Act of 1990 (42 U.S.C.
22 12101 et seq.), through—

23 (A) incorporating concepts of universal de-
24 sign in physical structures, products, and serv-
25 ices; or

1 ~~(B)~~ providing fiscal-related incentives to
2 public and private telecommunication ventures.

3 ~~(3)~~ Developing and implementing activities for
4 incorporating the principles of universal design in
5 the construction and renovation of facilities, infor-
6 mation technology and telecommunications, and
7 other products and services such as transportation.

8 ~~(4)~~ Planning and adopting State personnel
9 standards or professional certification procedures
10 that apply to individuals who, or entities that, pro-
11 vide assistive technology services.

12 ~~(5)~~ Conducting evaluations of assistive tech-
13 nology devices and assistive technology services, in-
14 cluding computer software, for the purpose of evalu-
15 ating and documenting the effectiveness, benefits,
16 and compatibility of the devices or services with
17 other technologies, for individuals with disabilities.

18 ~~(6)~~ Engaging in another activity, pursuant to a
19 priority mechanism announced by the Secretary,
20 that will have a statewide impact and address the
21 unmet assistive technology needs of individuals with
22 disabilities.

23 ~~(c)~~ LOCAL CAPACITY BUILDING ACTIVITIES.—The
24 State may use funds made available through a grant de-
25 scribed in subsection (a)(1)(B) to provide funds to local

1 entities that submit acceptable plans, to enable each such
2 local entity to carry out 1 of the following activities:

3 (1) Developing and implementing micro-loan
4 and alternative financing programs.

5 (2) Planning and carrying out equipment dem-
6 onstrations in community settings frequented by the
7 public.

8 (3) Developing and implementing an equipment
9 loan program involving long-term and short-term
10 loans.

11 (4) Developing and implementing an equipment
12 recycling program.

13 (5) Developing and implementing outreach ac-
14 tivities and training, especially empowerment train-
15 ing, for individuals with disabilities, teachers and
16 parents of individuals with disabilities, and under-
17 served populations.

18 (6) Carrying out other initiatives, including
19 model innovative initiatives, that meet an unmet
20 local need related to assistive technology.

21 (d) AMOUNTS OF SUPPLEMENTARY GRANTS.—

22 (1) PAYMENTS TO STATES.—The Secretary
23 shall make payments to States and to outlying areas
24 that successfully compete for supplementary grants

1 awarded under this section, in accordance with the
2 requirements of this section.

3 ~~(2) OBLIGATION AND EXPENDITURE.—~~A State
4 that receives a grant under this section may obligate
5 and expend the funds made available through the
6 grant during the period of the grant.

7 ~~(3) MATCHING REQUIREMENT.—~~A State that
8 receives a grant under this section in an amount
9 that exceeds \$250,000 shall make available non-Fed-
10 eral contributions in an amount not less than \$1 for
11 every \$2 of the amount that exceeds \$250,000.

12 ~~(c) APPLICATIONS.—~~Any State that desires to receive
13 a grant under this section shall submit to the Secretary
14 an application, at such time, and in such manner, as the
15 Secretary may require, that contains the following infor-
16 mation and assurances:

17 ~~(1) PARTNERS.—~~

18 ~~(A) STATE ASSISTIVE TECHNOLOGY OF-~~
19 ~~FICE.—~~An assurance that the State Assistive
20 Technology Office designated under section
21 102(d)(1)(A) participated in the development of
22 the application and will participate in the imple-
23 mentation of the activities to be carried out
24 under the grant, even if the State Assistive

1 Technology Office is not the grant applicant
2 under this section.

3 (B) PARTNERS.—A description of the part-
4 ners of the State involved in carrying out state-
5 wide activities under the grant, including—

6 (i) the identity of each partner;

7 (ii) the role of each partner in the de-
8 velopment of the application;

9 (iii) the capacity of each partner to
10 contribute to the grant activities; and

11 (iv) the contribution of each partner
12 to the grant activities.

13 (2) TARGETED INDIVIDUALS.—A description of
14 how targeted individuals, especially individuals with
15 disabilities who use assistive technology, were in-
16 volved in the development of the application and will
17 be involved in the implementation of the activities to
18 be carried out under the grant.

19 (3) DATA.—Data that affected the selection of
20 the activities to be carried out under the grant.

21 (4) RESOURCES.—A description of State re-
22 sources and other resources that have been commit-
23 ted to carry out the activities.

24 (5) GOALS AND ACTIVITIES.—

25 (A) IN GENERAL.—A description of—

1 (i) the goals the State has set for the
2 supplementary grant; and

3 (ii) the activities the State will under-
4 take to achieve such goals, in accordance
5 with the requirements of subsections (b)
6 and (c).

7 ~~(B) MEASURES OF GOAL ACHIEVEMENT.—~~

8 A description of how the State will measure
9 whether the goals set by the State have been
10 achieved.

11 ~~(C) INVOLVEMENT OF INDIVIDUALS WITH~~
12 ~~DISABILITIES OF ALL AGES AND THEIR FAMI-~~
13 ~~LIES.—A description of how individuals with~~
14 ~~disabilities of all ages and their families—~~

15 (i) were involved in selecting—

16 (I) the goals;

17 (II) the activities to be under-
18 taken in achieving the goals; and

19 (III) the measures to be used in
20 judging if the goals have been
21 achieved; and

22 (ii) will be involved in measuring
23 whether the goals have been achieved.

24 ~~(6) ANNUAL ASSESSMENT.—An assurance that~~
25 the State will conduct an annual assessment of the

1 activities carried out under the grant, in order to de-
2 termine—

3 (A) the extent to which the goals described
4 in paragraph (5) have been achieved; and

5 (B) the areas of need that require atten-
6 tion in the next year.

7 (7) USE OF FUNDS.—An assurance that funds
8 received through the grant will be expended in ac-
9 cordance with the provisions of this section and of
10 the application.

11 (8) SUPPLEMENT OTHER FUNDS.—An assur-
12 ance that funds received through the grant will be
13 used to supplement, and not supplant, funds avail-
14 able from other sources for any activity carried out
15 under the grant.

16 (9) REPORTS.—An assurance that the State
17 will, or will ensure that a recipient of assistance
18 through the grant will—

19 (A) prepare reports to the Secretary at
20 such time, in such manner, and containing such
21 information as the Secretary may require to
22 carry out the functions of the Secretary under
23 this section or section 105; and

24 (B) keep such records and allow access to
25 such records as the Secretary may require to

1 ensure the correctness and verification of infor-
2 mation provided to the Secretary under this
3 paragraph.

4 ~~(10) COMMINGLING OF FUNDS.—~~

5 ~~(A) IN GENERAL.—~~An assurance that
6 funds received through the grant will not be
7 commingled with State or other funds.

8 ~~(B) CONSTRUCTION.—~~Subparagraph (A)
9 shall not be construed to prevent, subject to
10 such requirements as the Secretary may estab-
11 lish concerning documentation satisfactory to
12 the Secretary, pooling of funds received through
13 the grant with other public or private funds to
14 achieve a goal specified in the grant application
15 involved, as approved by the Secretary.

16 ~~(11) FISCAL CONTROL AND ACCOUNTING PRO-~~
17 ~~CEDURES.—~~An assurance that the State will adopt,
18 and will ensure that a recipient of assistance
19 through the grant will adopt, such fiscal control and
20 accounting procedures as may be necessary to en-
21 sure proper disbursement of and accounting for
22 funds received through the grant.

23 ~~(12) AUTHORITY TO USE FUNDS.—~~An assur-
24 ance that, the partners described in paragraph
25 ~~(1)(B)~~ will have the authority to use funds made

1 available through a grant awarded under this sec-
2 tion.

3 (13) LIMIT ON INDIRECT COSTS.—An assurance
4 that the percentage of the funds made available
5 under the grant that is used for indirect costs shall
6 not exceed 10 percent.

7 (14) OTHER INFORMATION AND ASSUR-
8 ANCES.—Such other information and assurances as
9 the Secretary may reasonably require.

10 (f) SUBMISSION.—

11 (1) JOINT SUBMISSION.—When a State submits
12 the State technology plan for the State under section
13 102(d), the State may jointly submit an application
14 described in subsection (e) for funding activities
15 under this section.

16 (2) SEPARATE INFORMATION.—In making such
17 a joint submission the State shall distinguish be-
18 tween activities to be carried out under a grant
19 awarded under section 102 and activities to be car-
20 ried out under a grant awarded under this section,
21 and include a budget that separately reflects pro-
22 posed expenditures for the 2 types of grant activities
23 for each fiscal year involved.

24 (g) PROGRESS REPORTS.—Each State that receives
25 a grant under this section, and any other entity that re-

1 ceives assistance through a grant awarded under this sec-
 2 tion, shall annually prepare and submit to the Secretary
 3 a report that documents the progress of the State or entity
 4 in meeting the goals described in subsection (c)(5), and
 5 any other information the Secretary may reasonably re-
 6 quire.

7 **SEC. 104. STATE GRANTS FOR PROTECTION AND ADVOCACY**
 8 **RELATED TO ASSISTIVE TECHNOLOGY.**

9 (a) GRANTS TO STATES.—

10 (1) IN GENERAL.—On the appropriation of
 11 funds under section 107, the Secretary shall make a
 12 grant to an entity in each State to support protec-
 13 tion and advocacy services through the systems es-
 14 tablished to provide protection and advocacy services
 15 under the Developmental Disabilities Assistance and
 16 Bill of Rights Act (42 U.S.C. 6000 et seq.) for the
 17 purposes of assisting in the acquisition, utilization,
 18 or maintenance of assistive technology or assistive
 19 technology services for individuals with disabilities.

20 (2) CERTAIN STATES.—Notwithstanding para-
 21 graph (1), for a State that, on the day before the
 22 date of enactment of this Act, was described in sec-
 23 tion 102(f)(1) of the Technology-Related Assistance
 24 for Individuals With Disabilities Act of 1988, the
 25 Secretary shall make the grant to the lead agency

1 designated under section ~~101(d)~~ or the State Assist-
2 ive Technology Office designated under section
3 ~~102(d)(1)(A)~~ in that State, whichever is appropriate.
4 The lead agency or office shall determine how the
5 funds made available under this section shall be di-
6 vided among the entities that were providing protec-
7 tion and advocacy services in that State on that day,
8 and distribute the funds to the entities. In distribut-
9 ing the funds, the lead agency or office shall not es-
10 tablish any further eligibility or procedural require-
11 ments for an entity in that State that supports pro-
12 tection and advocacy services through the systems
13 established to provide protection and advocacy serv-
14 ices under the Developmental Disabilities Assistance
15 and Bill of Rights Act (~~42~~ U.S.C. 6000 et seq.).
16 Such an entity shall comply with the same require-
17 ments (including reporting and enforcement require-
18 ments) as any other entity that receives funding
19 under paragraph (1).

20 (3) PERIODS.—The Secretary shall provide as-
21 sistance through such a grant to a State for 5 years.

22 (b) AMOUNT OF FINANCIAL ASSISTANCE.—

23 (1) GRANTS TO OUTLYING AREAS.—From the
24 funds appropriated under section ~~107(a)~~ and re-
25 served under clause (ii) of subparagraph (A), (B), or

1 (C) of section 107(b)(1) for any fiscal year, the Sec-
2 retary shall make a grant in an amount of not more
3 than \$30,000 to each eligible system within an out-
4 lying area.

5 (2) GRANTS TO STATES.—For any fiscal year,
6 after reserving funds to make grants under para-
7 graph (1), the Secretary shall make allotments from
8 the remainder of the funds described in paragraph
9 (1) in accordance with paragraph (3) to eligible sys-
10 tems within States to support protection and advo-
11 cacy services as described in subsection (a). The
12 Secretary shall make grants to the eligible systems
13 from the allotments.

14 (3) SYSTEMS WITHIN STATES.—

15 (A) POPULATION BASIS.—Except as pro-
16 vided in subparagraph (B), from such remain-
17 der for each fiscal year, the Secretary shall
18 make an allotment to the eligible system within
19 a State of an amount bearing the same ratio to
20 such remainder as the population of the State
21 bears to the population of all States.

22 (B) MINIMUMS.—Subject to the availabil-
23 ity of appropriations to carry out this section,
24 the allotment to any system under subpara-
25 graph (A) shall be not less than \$50,000, and

1 the allotment to any system under this para-
2 graph for any fiscal year that is less than
3 \$50,000 shall be increased to \$50,000.

4 (4) ADJUSTMENT FOR INFLATION.—For any
5 fiscal year, beginning in fiscal year 2000, in which
6 the total amount appropriated and reserved as de-
7 scribed in paragraph (1) exceeds the total amount so
8 appropriated and reserved for the preceding fiscal
9 year, the Secretary shall increase each of the mini-
10 mum allotments under paragraph (3)(B) by a per-
11 centage that shall not exceed the percentage increase
12 in the total amount so appropriated and reserved be-
13 tween the preceding fiscal year and the fiscal year
14 involved.

15 (5) PROPORTIONAL REDUCTION.—To provide
16 minimum allotments to systems within States (as in-
17 creased under paragraph (4)) under paragraph
18 (3)(B), the Secretary shall proportionately reduce
19 the allotments of the remaining systems within
20 States under paragraph (3), with such adjustments
21 as may be necessary to prevent the allotment of any
22 such remaining system within a State from being re-
23 duced to less than the minimum allotment for a sys-
24 tem within a State (as increased under paragraph
25 (4)) under paragraph (3)(B).

1 (6) REALLOTMENT.—Whenever the Secretary
2 determines that any amount of an allotment under
3 paragraph (3) to a system within a State for any fis-
4 cal year will not be expended by such system in car-
5 rying out the provisions of this section, the Sec-
6 retary shall make such amount available for carrying
7 out the provisions of this section to 1 or more of the
8 systems that the Secretary determines will be able to
9 use additional amounts during such year for carry-
10 ing out such provisions. Any amount made available
11 to a system for any fiscal year pursuant to the pre-
12 ceeding sentence shall, for the purposes of this sec-
13 tion, be regarded as an increase in the allotment of
14 the system (as determined under the preceding pro-
15 visions of this section) for such year.

16 (c) REPORT TO SECRETARY.—An entity that receives
17 a grant under this section shall annually prepare and sub-
18 mit to the Secretary a report that contains such informa-
19 tion as the Secretary may require, including documenta-
20 tion of the progress of the entity in—

21 (1) conducting consumer-responsive activities,
22 including activities that will lead to increased access,
23 for individuals with disabilities, to funding for assist-
24 ive technology devices and assistive technology serv-
25 ices;

1 (2) engaging in informal advocacy to assist in
2 securing assistive technology and assistive tech-
3 nology services for individuals with disabilities;

4 (3) engaging in formal representation for indi-
5 viduals with disabilities to secure systems change,
6 and in advocacy activities to secure assistive tech-
7 nology and assistive technology services for individ-
8 uals with disabilities;

9 (4) developing and implementing strategies to
10 enhance the long-term abilities of individuals with
11 disabilities and their family members, guardians, ad-
12 vocates, and authorized representatives to advocate
13 the provision of assistive technology devices and as-
14 sistive technology services to which the individuals
15 with disabilities are entitled under law other than
16 this Act; and

17 (5) coordinating activities with protection and
18 advocacy services funded through sources other than
19 this title; and coordinating activities with the capac-
20 ity building and advocacy activities carried out by
21 the lead agency or State Assistive Technology Office;
22 as appropriate.

23 (d) REPORTS AND UPDATES TO STATE AGENCIES.—
24 An entity that receives a grant under this section shall
25 prepare and submit to the State Assistive Technology Of-

1 file the report described in subsection (c) and quarterly
 2 updates concerning the activities described in subsection
 3 (c).

4 (c) COORDINATION.—On making a grant under this
 5 section to an entity in a State, the Secretary shall solicit
 6 and consider the opinions of the lead agency of the State
 7 designated under section 101(d), or the State Assistive
 8 Technology Office, whichever is appropriate, with respect
 9 to efforts at coordination, collaboration, and promoting
 10 outcomes between the lead agency or the State Assistive
 11 Technology Office, as appropriate, and the entity that re-
 12 ceives the grant under this section.

13 **SEC. 105. ADMINISTRATIVE PROVISIONS.**

14 (a) REVIEW OF PARTICIPATING ENTITIES.—

15 (1) IN GENERAL.—The Secretary shall assess
 16 the extent to which entities that receive grants pur-
 17 suant to this title are complying with the applicable
 18 requirements of this title and achieving the goals
 19 that are consistent with the requirements of the
 20 grant programs under which the entities applied for
 21 the grants.

22 (2) ONSITE VISITS OF STATES RECEIVING CER-
 23 TAIN GRANTS.—

24 (A) IN GENERAL.—The Secretary shall
 25 conduct an onsite visit—

1 (i) for each State that receives a
2 grant under section 101 and that would
3 have been in the third or fourth year of a
4 second extension grant under the Tech-
5 nology-Related Assistance for Individuals
6 With Disabilities Act of 1988 if that Act
7 had been reauthorized for that fiscal year,
8 prior to the end of that year; and

9 (ii) for each State that receives a
10 grant under section 102, prior to the end
11 of the fourth year of that grant.

12 ~~(B) UNNECESSARY VISITS.~~—The Secretary
13 shall not be required to conduct a visit of a
14 State described in clause (i) or (ii) of subpara-
15 graph (A) if the Secretary determines that the
16 visit is not necessary to assess whether the
17 State is making significant progress toward de-
18 velopment and implementation of a comprehen-
19 sive statewide program of technology-related as-
20 sistance.

21 ~~(3) ADVANCE PUBLIC NOTICE.~~—The Secretary
22 shall provide advance public notice of an onsite visit
23 conducted under paragraph (2) and solicit public
24 comment through such notice from targeted individ-
25 uals, regarding State goals and related activities to

1 achieve such goals funded through a grant made
2 under section 101 or 102, as appropriate.

3 (4) MINIMUM REQUIREMENTS.—At a minimum,
4 the visit shall allow the Secretary to determine the
5 extent to which the State is making progress in
6 meeting State goals and maintaining a comprehen-
7 sive statewide program of technology-related assist-
8 ance consistent with the purposes described in sec-
9 tion 2(b)(1).

10 (5) PROVISION OF INFORMATION.—To assist
11 the Secretary in carrying out the responsibilities of
12 the Secretary under this section, the Secretary may
13 require States to provide relevant information.

14 (b) CORRECTIVE ACTION AND SANCTIONS.—

15 (1) CORRECTIVE ACTION.—If the Secretary de-
16 termines that an entity fails to substantially comply
17 with the requirements of this title with respect to a
18 grant program, the Secretary shall assist the entity
19 through a technical assistance center funded under
20 section 106 or other means, within 90 days after
21 such determination, to develop a corrective action
22 plan.

23 (2) SANCTIONS.—An entity that fails to develop
24 and comply with a corrective action plan as de-
25 scribed in paragraph (1) during a fiscal year shall

1 be subject to 1 of the following corrective actions se-
 2 lected by the Secretary:

3 (A) Partial or complete fund termination
 4 under the grant program.

5 (B) Ineligibility to participate in the grant
 6 program in the following year.

7 (C) Reduction in funding for the following
 8 year under the grant program.

9 (D) Required redesignation of the lead
 10 agency designated under section 101(d) or an
 11 entity responsible for administering the grant
 12 program.

13 (3) APPEALS PROCEDURES.—The Secretary
 14 shall establish appeals procedures for entities that
 15 are found to be in noncompliance with the require-
 16 ments of this title.

17 (e) ANNUAL REPORT.—

18 (1) IN GENERAL.—Not later than December 31
 19 of each year, the Secretary shall prepare, and submit
 20 to the President and to Congress, a report on the
 21 activities funded under this Act, to improve the ac-
 22 cess of individuals with disabilities to assistive tech-
 23 nology devices and assistive technology services.

24 (2) CONTENTS.—Such report shall include in-
 25 formation on—

1 (A) the demonstrated successes of the
2 funded activities in improving interagency co-
3 ordination relating to assistive technology;
4 streamlining access to funding for assistive
5 technology, and producing beneficial outcomes
6 for users of assistive technology;

7 (B) the demonstration activities carried
8 out through the funded activities to—

9 (i) promote access to such funding in
10 public programs that were in existence on
11 the date of the initiation of the demonstra-
12 tion activities; and

13 (ii) establish additional options for ob-
14 taining such funding;

15 (C) the education and training activities
16 carried out through the funded activities to edu-
17 cate and train targeted individuals about assist-
18 ive technology, including increasing awareness
19 of funding through public programs for assist-
20 ive technology;

21 (D) the research activities carried out
22 through the funded activities to improve under-
23 standing of the costs and benefits of access to
24 assistive technology for individuals with disabil-

1 ities who represent a variety of ages and types
2 of disabilities;

3 ~~(E)~~ the program outreach activities to
4 rural and inner-city areas that are carried out
5 through the funded activities;

6 ~~(F)~~ the activities carried out through the
7 funded activities that are targeted to reach
8 underrepresented populations and rural popu-
9 lations; and

10 ~~(G)~~ the consumer involvement activities
11 carried out through the funded activities.

12 ~~(3) AVAILABILITY OF ASSISTIVE TECHNOLOGY~~
13 ~~DEVICES AND ASSISTIVE TECHNOLOGY SERVICES.—~~
14 As soon as practicable, the Secretary shall include in
15 the annual report required by this subsection infor-
16 mation on the availability of assistive technology de-
17 vices and assistive technology services. If the Sec-
18 retary determines that a national classification sys-
19 tem for assistive technology devices and assistive
20 technology services has been developed the Secretary
21 shall present such information in the report in a
22 manner consistent with such national classification
23 system.

24 ~~(d) EFFECT ON OTHER ASSISTANCE.—~~This title may
25 not be construed as authorizing a Federal or a State agen-

1 ey to reduce medical or other assistance available, or to
 2 alter eligibility for a benefit or service, under any other
 3 Federal law.

4 **SEC. 106. TECHNICAL ASSISTANCE PROGRAM.**

5 (a) IN GENERAL.—Through grants, contracts, or co-
 6 operative agreements, awarded on a competitive basis, the
 7 Secretary is authorized to fund a technical assistance pro-
 8 gram to provide technical assistance to entities, principally
 9 entities funded under any of sections 101 through 104.

10 (b) INPUT.—In designing the program to be funded
 11 under this section, and in deciding the differences in func-
 12 tion between national and regionally based technical as-
 13 sistance efforts carried out through the program, the Sec-
 14 retary shall consider the input of the directors of com-
 15 prehensive statewide programs of technology-related as-
 16 sistance and other individuals the Secretary determines to
 17 be appropriate, especially—

18 (1) individuals with disabilities who use assist-
 19 ive technology and understand the barriers to the ac-
 20 quisition of such technology and assistive technology
 21 services;

22 (2) family members, guardians, advocates, and
 23 authorized representatives of such individuals; and

24 (3) individuals employed by protection and ad-
 25 vocacy systems funded under section 104.

1 (e) SCOPE OF TECHNICAL ASSISTANCE.—

2 (1) NATIONAL PUBLIC INTERNET SITE.—

3 (A) ESTABLISHMENT OF INTERNET
4 SITE.—The Secretary shall fund the establish-
5 ment and maintenance of a National Public
6 Internet Site for the purposes of providing to
7 individuals with disabilities and the general
8 public technical assistance and information on
9 increased access to assistive technology devices,
10 assistive technology services, and other disabil-
11 ity-related resources.

12 (B) ELIGIBLE ENTITY.—To be eligible to
13 receive a grant or enter into a contract or coop-
14 erative agreement under subsection (a) to es-
15 tablish and maintain the Internet site, an entity
16 shall be an institution of higher education that
17 emphasizes research and engineering, has a
18 multidisciplinary research center, and has dem-
19 onstrated expertise in—

20 (i) working with assistive technology
21 and intelligent agent interactive informa-
22 tion dissemination systems;

23 (ii) managing libraries of assistive
24 technology and disability-related resources;

1 (iii) delivering education, information,
2 and referral services to individuals with
3 disabilities, including technology-based cur-
4 rriculum development services for adults
5 with low-level reading skills;

6 (iv) developing cooperative partner-
7 ships with the private sector, particularly
8 with private sector computer software,
9 hardware, and Internet services entities;
10 and

11 (v) developing and designing advanced
12 Internet sites.

13 (C) FEATURES OF INTERNET SITE.—The
14 National Public Internet Site described in sub-
15 paragraph (A) shall contain the following fea-
16 tures:

17 (i) AVAILABILITY OF INFORMATION AT
18 ANY TIME.—The site shall be designed so
19 that any member of the public may obtain
20 information posted on the site at any time.

21 (ii) INNOVATIVE AUTOMATED INTEL-
22 LIGENT AGENT.—The site shall be con-
23 structed with an innovative automated in-
24 telligent agent that is a diagnostic tool for
25 assisting users in problem definition and

1 the selection of appropriate assistive tech-
2 nology devices and assistive technology
3 services resources.

4 (iii) RESOURCES.—

5 (I) LIBRARY ON ASSISTIVE TECH-
6 NOLOGY.—The site shall include ac-
7 cess to a comprehensive working li-
8 brary on assistive technology for all
9 environments, including home, work-
10 place, transportation, and other envi-
11 ronments.

12 (II) RESOURCES FOR A NUMBER
13 OF DISABILITIES.—The site shall in-
14 clude resources relating to the largest
15 possible number of disabilities, includ-
16 ing resources relating to low-level
17 reading skills.

18 (iv) LINKS TO PRIVATE SECTOR RE-
19 SOURCES AND INFORMATION.—To the ex-
20 tent feasible, the site shall be linked to rel-
21 evant private sector resources and informa-
22 tion, under agreements developed between
23 the institution of higher education and co-
24 operating private sector entities.

1 ~~(D) MINIMUM LIBRARY COMPONENTS.—~~At
2 a minimum, the Internet site shall maintain up-
3 dated information on—

4 ~~(i) how to plan, develop, implement,~~
5 ~~and evaluate activities to further extend~~
6 ~~comprehensive statewide programs of tech-~~
7 ~~nology-related assistance, including the de-~~
8 ~~velopment and replication of effective ap-~~
9 ~~proaches to—~~

10 ~~(I) providing information and re-~~
11 ~~ferral services;~~

12 ~~(II) promoting interagency co-~~
13 ~~ordination of training and service de-~~
14 ~~livery among public and private enti-~~
15 ~~ties;~~

16 ~~(III) conducting outreach to~~
17 ~~underrepresented populations and~~
18 ~~rural populations;~~

19 ~~(IV) mounting successful public~~
20 ~~awareness activities;~~

21 ~~(V) improving capacity building~~
22 ~~in service delivery;~~

23 ~~(VI) training personnel from a~~
24 ~~variety of disciplines; and~~

- 1 (VII) improving evaluation strat-
2 egies, research, and data collection;
3 (ii) effective approaches to the devel-
4 opment of consumer-controlled systems
5 that increase access to, funding for, and
6 awareness of, assistive technology devices
7 and assistive technology services;
8 (iii) successful approaches to increas-
9 ing the availability of public and private
10 funding for and access to the provision of
11 assistive technology devices and assistive
12 technology services by appropriate State
13 agencies; and
14 (iv) demonstration sites where individ-
15 uals may try out assistive technology.

16 (2) TECHNICAL ASSISTANCE EFFORTS.—In ear-
17 rying out the technical assistance program, taking
18 into account the input required under subsection (b),
19 the Secretary shall ensure that entities—

20 (A) address State-specific information re-
21 quests concerning assistive technology from
22 other entities funded under this title and public
23 entities not funded under this title, including—

- 24 (i) requests for state-of-the-art, or
25 model, Federal, State, and local laws, regu-

1 lations, policies, practices, procedures, and
2 organizational structures, that facilitate,
3 and overcome barriers to, funding for, and
4 access to, assistive technology devices and
5 assistive technology services;

6 (ii) requests for examples of policies,
7 practices, procedures, regulations, adminis-
8 trative hearing decisions, or legal actions,
9 that have enhanced or may enhance access
10 to funding for assistive technology devices
11 and assistive technology services for indi-
12 viduals with disabilities;

13 (iii) requests for information on effec-
14 tive approaches to Federal-State coordina-
15 tion of programs for individuals with dis-
16 abilities, related to improving funding for
17 or access to assistive technology devices
18 and assistive technology services for indi-
19 viduals with disabilities of all ages;

20 (iv) requests for information on effec-
21 tive approaches to the development of con-
22 sumer-controlled systems that increase ac-
23 cess to, funding for, and awareness of, as-
24 sistive technology devices and assistive
25 technology services, including information

1 on the identification and description of
2 mechanisms and means that successfully
3 support self-help and peer mentoring
4 groups for individuals with disabilities;

5 (v) other requests for technical assist-
6 ance from other entities funded under this
7 title and public entities not funded under
8 this title; and

9 (vi) other assignments specified by the
10 Secretary, including assisting entities de-
11 scribed in section 105(b) to develop correc-
12 tive action plans; and

13 (B) assist targeted individuals by dissemi-
14 nating information about—

15 (i) Federal, State, and local laws, reg-
16 ulations, policies, practices, procedures,
17 and organizational structures, that facili-
18 tate, and overcome barriers to, funding for,
19 and access to, assistive technology devices
20 and assistive technology services, to pro-
21 mote fuller independence, productivity, and
22 inclusion in society for individuals with dis-
23 abilities of all ages; and

24 (ii) technical assistance activities un-
25 dertaken under subparagraph (A).

1 (d) **ELIGIBLE ENTITIES.**—To be eligible to compete
 2 for grants, contracts, and cooperative agreements under
 3 this section, entities shall have documented experience
 4 with and expertise in assistive technology service delivery
 5 or systems, interagency coordination, and capacity build-
 6 ing and advocacy activities.

7 (e) **APPLICATION.**—To be eligible to receive a grant,
 8 contract, or cooperative agreement under this section, an
 9 entity shall submit an application to the Secretary at such
 10 time, in such manner, and containing such information as
 11 the Secretary may require.

12 **SEC. 107. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) **IN GENERAL.**—There are authorized to be appro-
 14 priated to carry out this title \$36,000,000 for fiscal year
 15 1999 and such sums as may be necessary for fiscal years
 16 2000 through 2004.

17 (b) **RESERVATIONS OF FUNDS.**—

18 (1) **IN GENERAL.**—Except as provided in para-
 19 graphs (2) through (4)—

20 (A) if the amount appropriated under sub-
 21 section (a) for a fiscal year is less than
 22 \$33,000,000—

23 (i) 87.5 percent of the amount shall
 24 be reserved to fund grants under sections
 25 101 and 102;

1 (ii) 7.9 percent shall be reserved to
2 fund grants under section 104; and

3 (iii) 4.6 percent shall be reserved for
4 activities funded under section 106;

5 (B) if the amount appropriated under sub-
6 section (a) for a fiscal year is not less than
7 \$33,000,000 and is less than \$36,000,000—

8 (i) 85 percent of the amount shall be
9 reserved to fund grants under sections 101
10 and 102;

11 (ii) 11 percent shall be reserved to
12 fund grants under section 104; and

13 (iii) 4 percent shall be reserved for ac-
14 tivities funded under section 106; and

15 (C) if the amount appropriated under sub-
16 section (a) for a fiscal year is not less than
17 \$36,000,000—

18 (i) 80 percent of the amount shall be
19 reserved to fund grants under sections
20 101, 102, and (to the extent provided in
21 paragraph (2)) 103;

22 (ii) 15 percent shall be reserved to
23 fund grants under section 104; and

24 (iii) 5 percent shall be reserved for ac-
25 tivities funded under section 106.

1 (2) ~~CONDITION APPLICABLE TO SUPPLE-~~
2 ~~MENTARY GRANTS.~~—Beginning in fiscal year 2000,
3 if the amount appropriated under subsection (a) for
4 a fiscal year is not less than \$40,000,000, the Sec-
5 retary may reserve not more than 5 percent of the
6 amount to fund grants under section 103.

7 (3) ~~RESERVATION FOR CONTINUATION OF~~
8 ~~TECHNICAL ASSISTANCE INITIATIVES.~~—For fiscal
9 year 1999, the Secretary may use funds reserved
10 under clause (iii) of subparagraph (A), (B), or (C)
11 of paragraph (1) to continue funding technical as-
12 sistance initiatives that were funded in fiscal year
13 1998 under the Technology-Related Assistance for
14 Individuals With Disabilities Act of 1988.

15 (4) ~~RESERVATION FOR ONSITE VISITS.~~—The
16 Secretary may reserve, from the amount appro-
17 priated under subsection (a) for any fiscal year, such
18 sums as the Secretary considers to be necessary for
19 the purposes of conducting onsite visits as required
20 by section 105(a)(2).

1 **TITLE II—NATIONAL ACTIVITIES**
 2 **Subtitle A—Rehabilitation Act of**
 3 **1973**

4 **SEC. 201. COORDINATION OF FEDERAL RESEARCH EF-**
 5 **FORTS.**

6 Section 203 of the Rehabilitation Act of 1973 (as
 7 amended by section 405 of the Workforce Investment Act
 8 of 1988) is amended—

9 (1) in subsection (a)(1), by inserting after “pro-
 10 grams,” insert “including programs relating to as-
 11 sistive technology research and research that incor-
 12 porates the principles of universal design,”;

13 (2) in subsection (b)—

14 (A) by inserting “(1)” before “After receiv-
 15 ing”;

16 (B) by striking “from individuals with dis-
 17 abilities and the individuals’ representatives”
 18 and inserting “from targeted individuals”;

19 (C) by inserting after “research” the fol-
 20 lowing: (including assistive technology research
 21 and research that incorporates the principles of
 22 universal design); and

23 (D) by adding at the end the following:

24 “(2) In carrying out its duties with respect to the
 25 conduct of Federal research (including assistive tech-

1 nology research and research that incorporates the prin-
2 ciples of universal design) related to rehabilitation of indi-
3 viduals with disabilities, the Committee shall—

4 “(A) share information regarding the range of
5 assistive technology research, and research that in-
6 corporates the principles of universal design, that is
7 being carried out by members of the Committee and
8 other Federal departments and organizations;

9 “(B) identify, and make efforts to address, gaps
10 in assistive technology research and research that in-
11 corporates the principles of universal design that are
12 not being adequately addressed;

13 “(C) identify, and establish, clear research pri-
14 orities related to assistive technology research and
15 research that incorporates the principles of universal
16 design for the Federal Government;

17 “(D) promote interagency collaboration and
18 joint research activities relating to assistive tech-
19 nology research and research that incorporates the
20 principles of universal design at the Federal level,
21 and reduce unnecessary duplication of effort regard-
22 ing these types of research within the Federal Gov-
23 ernment; and

24 “(E) optimize the productivity of Committee
25 members through resource sharing and other cost-

1 saving activities, related to assistive technology re-
2 search and research that incorporates the principles
3 of universal design.”;

4 ~~(3)~~ by striking subsection (c) and inserting the
5 following:

6 “(c) Not later than December 31 of each year, the
7 Committee shall prepare and submit, to the President and
8 to the Committee on Education and the Workforce of the
9 House of Representatives and the Committee on Labor
10 and Human Resources of the Senate, a report that—

11 “(1) describes the progress of the Committee in
12 fulfilling the duties described in subsection (b);

13 “(2) makes such recommendations as the Com-
14 mittee determines to be appropriate with respect to
15 coordination of policy and development of objectives
16 and priorities for all Federal programs relating to
17 the conduct of research (including assistive tech-
18 nology research and research that incorporates the
19 principles of universal design) related to rehabilita-
20 tion of individuals with disabilities; and

21 “(3) describes the activities that the Committee
22 recommended to be funded through grants, con-
23 tracts, cooperative agreements, and other mecha-
24 nisms, for assistive technology research and develop-

1 ment and research and development that incor-
2 porates the principles of universal design.”; and

3 (4) by adding at the end the following:

4 “(d)(1) In order to promote coordination and co-
5 operation among Federal departments and agencies con-
6 ducting assistive technology research programs, to reduce
7 duplication of effort among the programs, and to increase
8 the availability of assistive technology for individuals with
9 disabilities, the Committee may recommend activities to
10 be funded through grants, contracts or cooperative agree-
11 ments, or other mechanisms—

12 “(A) in joint research projects for assistive
13 technology research and research that incorporates
14 the principles of universal design; and

15 “(B) in other programs designed to promote a
16 cohesive, strategic Federal program of research de-
17 scribed in subparagraph (A).

18 “(2) The projects and programs described in para-
19 graph (1) shall be jointly administered by at least 2 agen-
20 cies or departments with representatives on the Commit-
21 tee.

22 “(3) In recommending activities to be funded in the
23 projects and programs, the Committee shall obtain input
24 from targeted individuals, and other organizations and in-
25 dividuals the Committee determines to be appropriate;

1 concerning the availability and potential of technology for
2 individuals with disabilities.

3 “(e) In this section, the terms ‘assistive technology’,
4 ‘targeted individuals’, and ‘universal design’ have the
5 meanings given the terms in section 3 of the Assistive
6 Technology Act of 1998.”.

7 **SEC. 202. NATIONAL COUNCIL ON DISABILITY.**

8 Section 401 of the Rehabilitation Act of 1973 (as
9 amended by section 407 of the Workforce Investment Act
10 of 1998) is amended by adding at the end the following:

11 “(e)(1) Not later than December 31, 1999, the Coun-
12 cil shall prepare a report describing the barriers in Federal
13 assistive technology policy to increasing the availability of
14 and access to assistive technology devices and assistive
15 technology services for individuals with disabilities.

16 “(2) In preparing the report, the Council shall obtain
17 input from the National Institute on Disability and Reha-
18 bilitation Research and the Association of Tech Act
19 Projects, and from targeted individuals, as defined in sec-
20 tion 3 of the Assistive Technology Act of 1998.

21 “(3) The Council shall submit the report, along with
22 such recommendations as the Council determines to be ap-
23 propriate, to the Committee on Labor and Human Re-
24 sources of the Senate and the Committee on Education
25 and the Workforce of the House of Representatives.”.

1 **SEC. 203. ARCHITECTURAL AND TRANSPORTATION BAR-**
 2 **RIERS COMPLIANCE BOARD.**

3 (a) **IN GENERAL.**—Section 502 of the Rehabilitation
 4 Act of 1973 (29 U.S.C. 792) is amended—

5 (1) by redesignating subsections (d) through (i)
 6 as subsections (e) through (j), respectively;

7 (2) by inserting after subsection (e) the follow-
 8 ing:

9 “(d) Beginning in fiscal year 2000, the Access Board,
 10 after consultation with the Secretary, representatives of
 11 such public and private entities as the Access Board deter-
 12 mines to be appropriate (including the electronic and in-
 13 formation technology industry), targeted individuals (as
 14 defined in section 3 of the Assistive Technology Act of
 15 1998), and State information technology officers, shall
 16 provide training for Federal and State employees on any
 17 obligations related to section 508 of the Rehabilitation Act
 18 of 1973.”; and

19 (3) in the second sentence of paragraph (1) of
 20 subsection (e) (as redesignated in paragraph (1)), by
 21 striking “subsection (e)” and inserting “subsection
 22 (f)”.

23 (b) **CONFORMING AMENDMENT.**—Section 506(e) of
 24 the Rehabilitation Act of 1973 (29 U.S.C. 794(e)) is
 25 amended by striking “section 502(h)(1)” and inserting
 26 “section 502(i)(1)”.

1 **Subtitle B—Other National**
2 **Activities**

3 **SEC. 211. SMALL BUSINESS INCENTIVES.**

4 (a) **DEFINITION.**—In this section, the term “small
5 business” means a small-business concern, as described in
6 section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

7 (b) **CONTRACTS FOR DESIGN, DEVELOPMENT, AND**
8 **MARKETING.**—

9 (1) **IN GENERAL.**—The Secretary may enter
10 into contracts with small businesses, to assist such
11 businesses to design, develop, and market assistive
12 technology devices or assistive technology services.
13 In entering into the contracts, the Secretary may
14 give preference to businesses owned or operated by
15 individuals with disabilities.

16 (2) **SMALL BUSINESS INNOVATIVE RESEARCH**
17 **PROGRAM.**—Contracts entered into pursuant to
18 paragraph (1) shall be administered in accordance
19 with the contract administration requirements appli-
20 cable to the Department of Education under the
21 Small Business Innovative Research Program, as de-
22 scribed in section 9(g) of the Small Business Act
23 (15 U.S.C. 638(g)). Contracts entered into pursuant
24 to paragraph (1) shall not be included in the calcula-

1 tion of the required expenditures of the Department
2 under section 9(f) of such Act (15 U.S.C. 638(f)).

3 (c) GRANTS FOR EVALUATION AND DISSEMINATION
4 OF INFORMATION ON EFFECTS OF TECHNOLOGY TRANS-
5 FER.—The Secretary may make grants to small busi-
6 nesses to enable such businesses—

7 (1) to work with any entity funded by the Sec-
8 retary to evaluate and disseminate information on
9 the effects of technology transfer on the lives of indi-
10 viduals with disabilities;

11 (2) to benefit from the experience and expertise
12 of such entities, in conducting such evaluation and
13 dissemination; and

14 (3) to utilize any technology transfer and mar-
15 ket research services such entities provide; to bring
16 new assistive technology devices and assistive tech-
17 nology services into commerce.

18 **SEC. 212. TECHNOLOGY TRANSFER AND UNIVERSAL DE-**
19 **SIGN.**

20 (a) IN GENERAL.—The Director of the National In-
21 stitute on Disability and Rehabilitation Research may col-
22 laborate with the Federal Laboratory Consortium for
23 Technology Transfer established under section 11(e) of
24 the Stevenson-Wydler Technology Innovation Act of 1980
25 (15 U.S.C. 3710(e)), to promote technology transfer that

1 will further development of assistive technology and prod-
2 ucts that incorporate the principles of universal design.

3 (b) COLLABORATION.—In promoting the technology
4 transfer, the Director and the Consortium described in
5 subsection (a) may collaborate—

6 (1) to enable the National Institute on Disabil-
7 ity and Rehabilitation Research to work more effec-
8 tively with the Consortium, and to enable the Con-
9 sortium to fulfill the responsibilities of the Consor-
10 tium to assist Federal agencies with technology
11 transfer under the Stevenson-Wydler Technology In-
12 novation Act of 1980 (15 U.S.C. 3701 et seq);

13 (2) to increase the awareness of staff members
14 of the Federal Laboratories regarding assistive tech-
15 nology issues and the principles of universal design;

16 (3) to compile a compendium of current and
17 projected Federal Laboratory technologies and
18 projects that have or will have an intended or recog-
19 nized impact on the available range of assistive tech-
20 nology for individuals with disabilities, including
21 technologies and projects that incorporate the prin-
22 ciples of universal design, as appropriate;

23 (4) to develop strategies for applying develop-
24 ments in assistive technology and universal design to
25 mainstream technology, to improve economies of

1 scale and commercial incentives for assistive tech-
 2 nology; and

3 ~~(5) to cultivate developments in assistive tech-~~
 4 ~~nology and universal design through demonstration~~
 5 ~~projects and evaluations, conducted with assistive~~
 6 ~~technology professionals and potential users of as-~~
 7 ~~sistive technology.~~

8 ~~(c) GRANTS, CONTRACTS, AND COOPERATIVE~~
 9 ~~AGREEMENTS.—The Secretary may make grants to or~~
 10 ~~enter into contracts or cooperative agreements with com-~~
 11 ~~mercial, non-profit, or other organizations, including insti-~~
 12 ~~tutions of higher education, to facilitate interaction with~~
 13 ~~the Consortium to achieve the objectives of this section.~~

14 ~~(d) RESPONSIBILITIES OF CONSORTIUM.—Section~~
 15 ~~11(e)(1) of the Stevenson-Wydler Technology Innovation~~
 16 ~~Act of 1980 (15 U.S.C. 3710(e)(1)) is amended—~~

17 ~~(1) in subparagraph (I), by striking “; and”~~
 18 ~~and inserting a semicolon;~~

19 ~~(2) in subparagraph (J), by striking the period~~
 20 ~~and inserting “; and”;~~ and

21 ~~(3) by adding at the end the following:~~

22 ~~“(K) work with the Director of the National In-~~
 23 ~~stitute on Disability and Rehabilitation Research to~~
 24 ~~compile a compendium of current and projected Fed-~~
 25 ~~eral Laboratory technologies and projects that have~~

1 or will have an intended or recognized impact on the
 2 available range of assistive technology for individuals
 3 with disabilities (as defined in section 3 of the As-
 4 sistive Technology Act of 1998), including tech-
 5 nologies and projects that incorporate the principles
 6 of universal design (as defined in section 3 of such
 7 Act), as appropriate.”

8 **SEC. 213. UNIVERSAL DESIGN IN PRODUCTS AND THE**
 9 **BUILT ENVIRONMENT.**

10 The Secretary may make grants to commercial or
 11 other enterprises and institutions of higher education for
 12 the research and development of universal design concepts
 13 for products (including information technology) and the
 14 built environment. In making such grants, the Secretary
 15 shall give preference to enterprises and institutions that
 16 are owned or operated by individuals with disabilities. The
 17 Secretary shall define the term “built environment” for
 18 purposes of this section.

19 **SEC. 214. OUTREACH.**

20 (a) **ASSISTIVE TECHNOLOGY IN RURAL OR IMPOVER-**
 21 **ISHED URBAN AREAS.**—The Secretary may make grants,
 22 enter into cooperative agreements, or provide financial as-
 23 sistance through other mechanisms, for projects designed
 24 to increase the availability of assistive technology for rural
 25 and impoverished urban populations, by determining the

1 unmet assistive technology needs of such populations, and
 2 designing and implementing programs to meet such needs.

3 (b) **ASSISTIVE TECHNOLOGY FOR CHILDREN AND**
 4 **OLDER INDIVIDUALS.**—The Secretary may make grants,
 5 enter into cooperative agreements, or provide financial as-
 6 sistance through other mechanisms, for projects designed
 7 to increase the availability of assistive technology for pop-
 8 ulations of children and older individuals, by determining
 9 the unmet assistive technology needs of such populations,
 10 and designing and implementing programs to meet such
 11 needs.

12 **SEC. 215. TRAINING PERTAINING TO REHABILITATION EN-**
 13 **GINEERS AND TECHNICIANS.**

14 (a) **GRANTS AND CONTRACTS.**—The Secretary shall
 15 make grants, or enter into contracts with, public and pri-
 16 vate agencies and organizations, including institutions of
 17 higher education, to help prepare students, including stu-
 18 dents preparing to be rehabilitation technicians, and fac-
 19 ulty working in the field of rehabilitation engineering, for
 20 careers related to the provision of assistive technology de-
 21 vices and assistive technology services.

22 (b) **ACTIVITIES.**—An agency or organization that re-
 23 ceives a grant or contract under subsection (a) may use
 24 the funds made available through the grant or contract—

1 (1) to provide training programs for individuals
2 employed or seeking employment in the field of reha-
3 bilitation engineering, including postsecondary edu-
4 cation programs;

5 (2) to provide workshops, seminars, and con-
6 ferences concerning rehabilitation engineering that
7 relate to the use of assistive technology devices and
8 assistive technology services to improve the lives of
9 individuals with disabilities; and

10 (3) to design, develop, and disseminate curricu-
11 lar materials to be used in the training programs,
12 workshops, seminars, and conferences described in
13 paragraphs (1) and (2).

14 **SEC. 216. ASSISTIVE TECHNOLOGY TAXONOMY.**

15 (a) **STUDY.**—The Secretary may, directly or (if nec-
16 essary) by entering into contracts or cooperative agree-
17 ments with appropriate entities, conduct a study to deter-
18 mine the benefits of and obstacles to implementing
19 throughout the Federal Government the single assistive
20 technology taxonomy developed by the Department.

21 (b) **REPORT.**—Not later than December 31, 1999,
22 the Secretary shall prepare and submit to the Committee
23 on Education and the Workforce of the House of Rep-
24 resentatives and the Committee on Labor and Human Re-
25 sources of the Senate a report that contains information

1 detailing the benefits and obstacles described in subsection
 2 (a) and that contains such policy recommendations as the
 3 Secretary determines to be appropriate.

4 **SEC. 217. PRESIDENT'S COMMITTEE ON EMPLOYMENT OF**
 5 **PEOPLE WITH DISABILITIES.**

6 (a) PROGRAMS.—The President's Committee on Em-
 7 ployment of People With Disabilities (referred to in this
 8 section as "the Committee") may design, develop, and im-
 9 plement programs to increase the voluntary participation
 10 of the private sector in making information technology ac-
 11 cessible to individuals with disabilities, including increas-
 12 ing the involvement of individuals with disabilities in the
 13 design, development, and manufacturing of information
 14 technology.

15 (b) ACTIVITIES.—The Committee may carry out ac-
 16 tivities through the programs that may include—

17 (1) the development and coordination of a task
 18 force, which—

19 (A) shall develop and disseminate informa-
 20 tion on voluntary best practices for universal
 21 accessibility in information technology; and

22 (B) shall consist of members of the public
 23 and private sectors, including—

1 (i) representatives of organizations
2 representing individuals with disabilities;
3 and

4 (ii) individuals with disabilities; and
5 (2) the design, development, and implementa-
6 tion of outreach programs to promote the adoption
7 of best practices referred to in paragraph (1)(B).

8 (e) COORDINATION.—The Committee shall coordinate
9 the activities of the Committee under this section, as ap-
10 propriate, with the activities of the National Institute on
11 Disability and Rehabilitation Research and the activities
12 of the Department of Labor.

13 (d) TECHNICAL ASSISTANCE.—The Committee may
14 provide technical assistance concerning the programs ear-
15 ried out under this section and may reserve such portion
16 of the funds appropriated to carry out this section as the
17 Committee determines to be necessary to provide the tech-
18 nical assistance.

19 (e) DEFINITION.—In this section, the term “informa-
20 tion technology” means any equipment or interconnected
21 system or subsystem of equipment, that is used in the
22 automatic acquisition, storage, manipulation, manage-
23 ment, movement, control, display, switching, interchange,
24 transmission, or reception of data or information, includ-
25 ing a computer, ancillary equipment, software, firmware

1 and similar procedures, services (including support serv-
 2 ices), and related resources.

3 **SEC. 218. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) **IN GENERAL.**—There are authorized to be appro-
 5 priated to carry out this title and the provisions described
 6 in subsection (b)(1), \$15,000,000 for fiscal year 1999, and
 7 such sums as may be necessary for each of fiscal years
 8 2000 through 2004.

9 (b) **RESERVATIONS.**—Of the funds appropriated
 10 under subsection (a) for a fiscal year, the Secretary shall
 11 reserve not less than—

12 (1) ~~33~~ percent to carry out the provisions of
 13 section ~~203~~ of the Rehabilitation Act of 1973 that
 14 relate to research described in section ~~203(b)(2)(A)~~
 15 of such Act;

16 (2) 16 percent to carry out section 211;

17 (3) 4 percent to carry out section 212;

18 (4) 8 percent to carry out section 215; and

19 (5) 10 percent to carry out section 217.

20 (c) **AVAILABILITY.**—Amounts appropriated under
 21 subsection (a) for a fiscal year shall remain available for
 22 obligation for the following fiscal year.

1 **TITLE III—ALTERNATIVE**
2 **FINANCING MECHANISMS**

3 **SEC. 301. GENERAL AUTHORITY.**

4 (a) **IN GENERAL.**—The Secretary shall award grants
5 to States to pay for the Federal share of the cost of the
6 establishment and administration of, or the expansion and
7 administration of, an alternative financing program fea-
8 turing 1 or more alternative financing mechanisms to
9 allow individuals with disabilities and their family mem-
10 bers, guardians, advocates, and authorized representatives
11 to purchase assistive technology devices and assistive tech-
12 nology services (referred to individually in this title as an
13 “alternative financing mechanism”).

14 (b) **MECHANISMS.**—The alternative financing mecha-
15 nisms may include—

- 16 (1) a low-interest loan fund;
- 17 (2) an interest buy-down program;
- 18 (3) a revolving loan fund;
- 19 (4) a loan guarantee or insurance program;
- 20 (5) a program operated by a partnership among
21 private entities for the purchase, lease, or other ac-
22 quisition of assistive technology devices or assistive
23 technology services; or
- 24 (6) another mechanism that meets the require-
25 ments of this title and is approved by the Secretary.

1 (c) REQUIREMENTS.—

2 (1) PERIOD.—The Secretary may award grants
3 under this title for periods of 1 year.

4 (2) LIMITATION.—No State may receive more
5 than 1 grant under this title.

6 (d) FEDERAL SHARE.—The Federal share of the cost
7 of the alternative financing program shall not be more
8 than 50 percent.

9 (e) CONSTRUCTION.—Nothing in this section shall be
10 construed as affecting the authority of a State to establish
11 an alternative financing program under title I.

12 **SEC. 302. AMOUNT OF GRANTS.**

13 (a) IN GENERAL.—

14 (1) GRANTS TO OUTLYING AREAS.—From the
15 funds appropriated under section 308 for any fiscal
16 year that are not reserved under section 308(b), the
17 Secretary shall make a grant in an amount of not
18 more than \$105,000 to each eligible outlying area.

19 (2) GRANTS TO STATES.—From the funds de-
20 scribed in paragraph (1) that are not used to make
21 grants under paragraph (1), the Secretary shall
22 make grants to States from allotments made in ac-
23 cordance with the requirements described in para-
24 graph (3).

1 (3) ALLOTMENTS.—From the funds described
2 in paragraph (1) that are not used to make grants
3 under paragraph (1)—

4 (A) the Secretary shall allot \$500,000 to
5 each State; and

6 (B) from the remainder of the funds—

7 (i) the Secretary shall allot to each
8 State an amount that bears the same ratio
9 to 80 percent of the remainder as the pop-
10 ulation of the State bears to the population
11 of all States; and

12 (ii) the Secretary shall allot to each
13 State with a population density that is not
14 more than 10 percent greater than the
15 population density of the United States
16 (according to the most recently available
17 census data) an equal share from 20 per-
18 cent of the remainder.

19 (b) INSUFFICIENT FUNDS.—If the funds appro-
20 priated under this title for a fiscal year are insufficient
21 to fund the activities described in the acceptable applica-
22 tions submitted under this title for such year, a State
23 whose application was approved for such year but that did
24 not receive a grant under this title may update the appli-
25 cation for the succeeding fiscal year. Priority shall be

1 given in such succeeding fiscal year to such updated appli-
2 cations, if acceptable.

3 (c) DEFINITIONS.—In subsection (a):

4 (1) OUTLYING AREA.—The term “outlying
5 area” means the United States Virgin Islands,
6 Guam, American Samoa, and the Commonwealth of
7 the Northern Mariana Islands.

8 (2) STATE.—The term “State” does not include
9 the United States Virgin Islands, Guam, American
10 Samoa, and the Commonwealth of the Northern
11 Mariana Islands.

12 **SEC. 303. APPLICATIONS AND PROCEDURES.**

13 (a) ELIGIBILITY.—States that receive or have re-
14 ceived grants under section 101 or 102 and comply with
15 subsection (b) shall be eligible to compete for grants under
16 this title.

17 (b) APPLICATION.—To be eligible to compete for a
18 grant under this title, a State shall submit an application
19 to the Secretary at such time, in such manner, and con-
20 taining such information as the Secretary may require, in-
21 cluding—

22 (1) an assurance that the State will provide the
23 non-Federal share of the cost of the alternative fi-
24 nancing program in cash, from State, local, or pri-
25 vate sources;

1 (2) an assurance that the alternative financing
2 program will continue on a permanent basis;

3 (3) an assurance that, and information describ-
4 ing the manner in which, the alternative financing
5 program will expand and emphasize consumer choice
6 and control;

7 (4) an assurance that the funds made available
8 through the grant to support the alternative financ-
9 ing program will be used to supplement and not sup-
10 plant other Federal, State, and local public funds ex-
11 pended to provide alternative financing mechanisms;

12 (5) an assurance that the State will ensure
13 that—

14 (A) all funds that support the alternative
15 financing program, including funds repaid dur-
16 ing the life of the program, will be placed in a
17 permanent separate account and identified and
18 accounted for separately from any other fund;

19 (B) if the organization administering the
20 program invests funds within this account, the
21 organization will invest the funds in low-risk se-
22 curities in which a regulated insurance company
23 may invest under the law of the State; and

24 (C) the organization will administer the
25 funds with the same judgment and care that a

1 person of prudence, discretion, and intelligence
2 would exercise in the management of the finan-
3 cial affairs of such person;

4 (6) an assurance that—

5 (A) funds comprised of the principal and
6 interest from the account described in para-
7 graph (5) will be available to support the alter-
8 native financing program; and

9 (B) any interest or investment income that
10 accrues on or derives from such funds after
11 such funds have been placed under the control
12 of the organization administering the alter-
13 native financing program, but before such funds
14 are distributed for purposes of supporting the
15 program, will be the property of the organiza-
16 tion administering the program; and

17 (7) an assurance that the percentage of the
18 funds made available through the grant that is used
19 for indirect costs shall not exceed 10 percent.

20 (e) LIMIT.—The interest and income described in
21 subsection (b)(6)(B) shall not be taken into account by
22 any officer or employee of the Federal Government for
23 purposes of determining eligibility for any Federal pro-
24 gram.

1 **SEC. 304. CONTRACTS WITH COMMUNITY-BASED ORGANIZA-**
 2 **TIONS.**

3 (a) **IN GENERAL.**—A State that receives a grant
 4 under this title shall enter into a contract with a commu-
 5 nity-based organization (including a group of such organi-
 6 zations) that has individuals with disabilities involved in
 7 organizational decisionmaking at all organizational levels,
 8 to administer the alternative financing program.

9 (b) **PROVISIONS.**—The contract shall—

10 (1) include a provision requiring that the pro-
 11 gram funds, including the Federal and non-Federal
 12 shares of the cost of the program, be administered
 13 in a manner consistent with the provisions of this
 14 title;

15 (2) include any provision the Secretary requires
 16 concerning oversight and evaluation necessary to
 17 protect Federal financial interests; and

18 (3) require the community-based organization
 19 to enter into a contract, to expand opportunities
 20 under this title and facilitate administration of the
 21 alternative financing program, with—

22 (A) commercial lending institutions or or-
 23 ganizations; or

24 (B) State financing agencies.

1 **SEC. 305. GRANT ADMINISTRATION REQUIREMENTS.**

2 A State that receives a grant under this title and any
3 community-based organization that enters into a contract
4 with the State under this title, shall submit to the Sec-
5 retary, pursuant to a schedule established by the Secretary
6 (or if the Secretary does not establish a schedule, within
7 12 months after the date that the State receives the
8 grant), each of the following policies or procedures for ad-
9 ministration of the alternative financing program:

10 (1) A procedure to review and process in a
11 timely manner requests for financial assistance for
12 immediate and potential technology needs, including
13 consideration of methods to reduce paperwork and
14 duplication of effort, particularly relating to need,
15 eligibility, and determination of the specific assistive
16 technology device or service to be financed through
17 the program.

18 (2) A policy and procedure to assure that ac-
19 cess to the alternative financing program shall be
20 given to consumers regardless of type of disability,
21 age, income level, location of residence in the State,
22 or type of assistive technology device or assistive
23 technology service for which financing is requested
24 through the program.

25 (3) A procedure to assure consumer-controlled
26 oversight of the program.

1 **SEC. 306. INFORMATION AND TECHNICAL ASSISTANCE.**

2 (a) **IN GENERAL.**—The Secretary shall provide infor-
3 mation and technical assistance to States under this title,
4 which shall include—

5 (1) providing assistance in preparing applica-
6 tions for grants under this title;

7 (2) assisting grant recipients under this title to
8 develop and implement alternative financing pro-
9 grams; and

10 (3) providing any other information and tech-
11 nical assistance the Secretary determines to be ap-
12 propriate to assist States to achieve the objectives of
13 this title.

14 (b) **GRANTS, CONTRACTS, AND COOPERATIVE**
15 **AGREEMENTS.**—The Secretary shall provide the informa-
16 tion and technical assistance described in subsection (a)
17 through grants, contracts, and cooperative agreements
18 with public or private agencies and organizations, includ-
19 ing institutions of higher education, with sufficient docu-
20 mented experience, expertise, and capacity to assist States
21 in the development and implementation of the alternative
22 financing programs carried out under this title.

23 **SEC. 307. ANNUAL REPORT.**

24 Not later than December 31 of each year, the Sec-
25 retary shall submit a report to the Committee on Edu-
26 cation and the Workforce of the House of Representatives

1 and the Committee on Labor and Human Resources of
2 the Senate describing the progress of each alternative fi-
3 nancing program funded under this title toward achieving
4 the objectives of this title. The report shall include infor-
5 mation on—

6 (1) the number of grant applications received
7 and approved by the Secretary under this title; and
8 the amount of each grant awarded under this title;

9 (2) the ratio of funds provided by each State
10 for the alternative financing program of the State to
11 funds provided by the Federal Government for the
12 program;

13 (3) the type of alternative financing mecha-
14 nisms used by each State and the community-based
15 organization with which each State entered into a
16 contract, under the program; and

17 (4) the amount of assistance given to consum-
18 ers through the program (who shall be classified by
19 age, type of disability, type of assistive technology
20 device or assistive technology service financed
21 through the program, geographic distribution within
22 the State, gender, and whether the consumers are
23 part of an underrepresented population or rural pop-
24 ulation).

1 **SEC. 308. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) **IN GENERAL.**—There are authorized to be appro-
 3 priated to carry out this title \$25,000,000 for fiscal year
 4 1999 and such sums as may be necessary for each of fiscal
 5 years 2000 through 2004.

6 (b) **RESERVATION.**—Of the amounts appropriated
 7 under subsection (a) for a fiscal year, the Secretary shall
 8 reserve 2 percent for the purpose of providing information
 9 and technical assistance to States under section 306.

10 (c) **AVAILABILITY.**—Amounts appropriated under
 11 subsection (a) for a fiscal year shall remain available for
 12 obligation for the following fiscal year.

13 **TITLE IV—REPEAL AND**
 14 **CONFORMING AMENDMENTS**

15 **SEC. 401. REPEAL.**

16 The Technology-Related Assistance for Individuals
 17 With Disabilities Act of 1988 (29 U.S.C. 2201 et seq.)
 18 is repealed.

19 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

20 (a) **SHORT TITLE.**—*This Act may be cited as the “As-*
 21 *sistive Technology Act of 1998”.*

22 (b) **TABLE OF CONTENTS.**—*The table of contents for*
 23 *this Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purposes.

Sec. 3. Definitions and rule.

TITLE I—STATE GRANT PROGRAMS

- Sec. 101. Continuity grants for States that received funding for a limited period for technology-related assistance.*
- Sec. 102. State challenge grants.*
- Sec. 103. Supplementary millennium grants to States for State and local capacity building.*
- Sec. 104. State grants for protection and advocacy related to assistive technology.*
- Sec. 105. Administrative provisions.*
- Sec. 106. Technical assistance program.*
- Sec. 107. Authorization of appropriations.*

TITLE II—NATIONAL ACTIVITIES

Subtitle A—Rehabilitation Act of 1973

- Sec. 201. Coordination of Federal research efforts.*
- Sec. 202. National Council on Disability.*
- Sec. 203. Architectural and Transportation Barriers Compliance Board.*

Subtitle B—Other National Activities

- Sec. 211. Small business incentives.*
- Sec. 212. Technology transfer and universal design.*
- Sec. 213. Universal design in products and the built environment.*
- Sec. 214. Outreach.*
- Sec. 215. Training pertaining to rehabilitation engineers and technicians.*
- Sec. 216. Assistive technology taxonomy.*
- Sec. 217. President’s Committee on Employment of People With Disabilities.*
- Sec. 218. Authorization of appropriations.*

TITLE III—ALTERNATIVE FINANCING MECHANISMS

- Sec. 301. General authority.*
- Sec. 302. Amount of grants.*
- Sec. 303. Applications and procedures.*
- Sec. 304. Contracts with community-based organizations.*
- Sec. 305. Grant administration requirements.*
- Sec. 306. Information and technical assistance.*
- Sec. 307. Annual report.*
- Sec. 308. Authorization of appropriations.*

TITLE IV—REPEAL AND CONFORMING AMENDMENTS

- Sec. 401. Repeal.*
- Sec. 402. Conforming amendments.*

1 SEC. 2. FINDINGS AND PURPOSES.

2 (a) *FINDINGS.*—Congress finds the following:

3 (1) *Disability is a natural part of the human ex-*
 4 *perience and in no way diminishes the right of indi-*
 5 *viduals to—*

- 1 (A) *live independently;*
2 (B) *enjoy self-determination and make*
3 *choices;*
4 (C) *benefit from an education;*
5 (D) *pursue meaningful careers; and*
6 (E) *enjoy full inclusion and integration in*
7 *the economic, political, social, cultural, and edu-*
8 *cational mainstream of society in the United*
9 *States.*

10 (2) *Technology has become 1 of the primary en-*
11 *gines for economic activity, education, and innova-*
12 *tion in the Nation, and throughout the world. The*
13 *commitment of the United States to the development*
14 *and utilization of technology is 1 of the main factors*
15 *underlying the strength and vibrancy of the economy*
16 *of the United States.*

17 (3) *As technology has come to play an increas-*
18 *ingly important role in the lives of all persons in the*
19 *United States, in the conduct of business, in the func-*
20 *tioning of government, in the fostering of communica-*
21 *tion, in the conduct of commerce, and in the provi-*
22 *sion of education, its impact upon the lives of the*
23 *more than 50,000,000 individuals with disabilities in*
24 *the United States has been comparable to its impact*
25 *upon the remainder of the citizens of the United*

1 *States. Any development in mainstream technology*
2 *would have profound implications for individuals*
3 *with disabilities in the United States.*

4 (4) *Substantial progress has been made in the*
5 *development of assistive technology devices, including*
6 *adaptations to existing devices that facilitate activi-*
7 *ties of daily living, that significantly benefit individ-*
8 *uals with disabilities of all ages. Such devices and ad-*
9 *aptations increase the involvement of such individuals*
10 *in, and reduce expenditures associated with, programs*
11 *and activities such as early intervention, education,*
12 *rehabilitation and training, employment, residential*
13 *living, independent living, and recreation programs*
14 *and activities, and other aspects of daily living.*

15 (5) *All States have comprehensive statewide pro-*
16 *grams of technology-related assistance. Federal sup-*
17 *port for such programs should continue, strengthening*
18 *the capacity of each State to assist individuals with*
19 *disabilities of all ages with their assistive technology*
20 *needs.*

21 (6) *Notwithstanding the efforts of such State pro-*
22 *grams, there is still a lack of—*

23 (A) *resources to pay for assistive technology*
24 *devices and assistive technology services;*

1 (B) trained personnel to assist individuals
2 with disabilities to use such devices and services;

3 (C) information among targeted individuals
4 about the availability and potential benefit of
5 technology for individuals with disabilities;

6 (D) outreach to underrepresented popu-
7 lations and rural populations;

8 (E) systems that ensure timely acquisition
9 and delivery of assistive technology devices and
10 assistive technology services;

11 (F) coordination among State human serv-
12 ices programs, and between such programs and
13 private entities, particularly with respect to
14 transitions between such programs and entities;
15 and

16 (G) capacity in such programs to provide
17 the necessary technology-related assistance.

18 (7) In the current technological environment, the
19 line of demarcation between assistive technology and
20 mainstream technology is becoming ever more dif-
21 ficult to draw.

22 (8) Many individuals with disabilities cannot
23 access existing telecommunications and information
24 technologies and are at risk of not being able to access
25 developing technologies. The failure of Federal and

1 *State governments, hardware manufacturers, software*
2 *designers, information systems managers, and tele-*
3 *communications service providers to account for the*
4 *specific needs of individuals with disabilities in the*
5 *design, manufacture, and procurement of tele-*
6 *communications and information technologies results*
7 *in the exclusion of such individuals from the use of*
8 *telecommunications and information technologies and*
9 *results in unnecessary costs associated with the retro-*
10 *fitting of devices and product systems.*

11 *(9) There are insufficient incentives for Federal*
12 *contractors and other manufacturers of technology to*
13 *address the application of technology advances to*
14 *meet the needs of individuals with disabilities of all*
15 *ages for assistive technology devices and assistive tech-*
16 *nology services.*

17 *(10) The use of universal design principles re-*
18 *duces the need for many specific kinds of assistive*
19 *technology devices and assistive technology services by*
20 *building in accommodations for individuals with dis-*
21 *abilities before rather than after production. The use*
22 *of universal design principles also increases the likeli-*
23 *hood that products (including services) will be com-*
24 *patible with existing assistive technologies. These*
25 *principles are increasingly important to enhance ac-*

1 *cess to information technology, telecommunications,*
2 *transportation, physical structures, and consumer*
3 *products. There are insufficient incentives for com-*
4 *mercial manufacturers to incorporate universal de-*
5 *sign principles into the design and manufacturing of*
6 *technology products, including devices of daily living,*
7 *that could expand their immediate use by individuals*
8 *with disabilities of all ages.*

9 *(11) There are insufficient incentives for com-*
10 *mercial pursuit of the application of technology de-*
11 *vices to meet the needs of individuals with disabil-*
12 *ities, because of the perception that such individuals*
13 *constitute a limited market.*

14 *(12) At the Federal level, the Federal Labora-*
15 *tories, the National Aeronautics and Space Adminis-*
16 *tration, and other similar entities do not recognize*
17 *the value of, or commit resources on an ongoing basis*
18 *to, technology transfer initiatives that would benefit,*
19 *and especially increase the independence of, individ-*
20 *uals with disabilities.*

21 *(13) At the Federal level, there is a lack of co-*
22 *ordination among agencies that provide or pay for*
23 *the provision of assistive technology devices and as-*
24 *sistive technology services. In addition, the Federal*
25 *Government does not provide adequate assistance and*

1 *information with respect to the quality and use of as-*
2 *istive technology devices and assistive technology*
3 *services to targeted individuals.*

4 (14) *There are changes in the delivery of assist-*
5 *ive technology devices and assistive technology serv-*
6 *ices, including—*

7 (A) *the impact of the increased prevalence*
8 *of managed care entities as payors for assistive*
9 *technology devices and assistive technology serv-*
10 *ices;*

11 (B) *an increased focus on universal design;*

12 (C) *the increased importance of assistive*
13 *technology in employment, as more individuals*
14 *with disabilities move from public assistance to*
15 *work through training and on-the-job accom-*
16 *modations;*

17 (D) *the role and impact that new tech-*
18 *nologies have on how individuals with disabil-*
19 *ities will learn about, access, and participate in*
20 *programs or services that will affect their lives;*
21 *and*

22 (E) *the increased role that telecommuni-*
23 *cations play in education, employment, health*
24 *care, and social activities.*

25 (b) *PURPOSES.—The purposes of this Act are—*

1 (1) to provide financial assistance to States to
2 undertake activities that assist each State in main-
3 taining and strengthening a permanent comprehen-
4 sive statewide program of technology-related assist-
5 ance, for individuals with disabilities of all ages, that
6 is designed to—

7 (A) increase the availability of, funding for,
8 access to, and provision of, assistive technology
9 devices and assistive technology services;

10 (B) increase the active involvement of indi-
11 viduals with disabilities and their family mem-
12 bers, guardians, advocates, and authorized rep-
13 resentatives, in the maintenance, improvement,
14 and evaluation of such a program;

15 (C) increase the involvement of individuals
16 with disabilities and, if appropriate, their fam-
17 ily members, guardians, advocates, and author-
18 ized representatives, in decisions related to the
19 provision of assistive technology devices and as-
20 sistive technology services;

21 (D) increase the provision of outreach to
22 underrepresented populations and rural popu-
23 lations, to enable the 2 populations to enjoy the
24 benefits of activities carried out under this Act
25 to the same extent as other populations;

1 (E) increase and promote coordination
2 among State agencies, between State and local
3 agencies, among local agencies, and between
4 State and local agencies and private entities
5 (such as managed care providers), that are in-
6 volved or are eligible to be involved in carrying
7 out activities under this Act;

8 (F)(i) increase the awareness of laws, regu-
9 lations, policies, practices, procedures, and orga-
10 nizational structures, that facilitate the avail-
11 ability or provision of assistive technology de-
12 vices and assistive technology services; and

13 (ii) facilitate the change of laws, regula-
14 tions, policies, practices, procedures, and organi-
15 zational structures, to obtain increased availabil-
16 ity or provision of assistive technology devices
17 and assistive technology services;

18 (G) increase the probability that individ-
19 uals with disabilities of all ages will, to the ex-
20 tent appropriate, be able to secure and maintain
21 possession of assistive technology devices as such
22 individuals make the transition between services
23 offered by human service agencies or between set-
24 tings of daily living (for example, between home
25 and work);

1 (H) enhance the skills and competencies of
2 individuals involved in providing assistive tech-
3 nology devices and assistive technology services;

4 (I) increase awareness and knowledge of the
5 benefits of assistive technology devices and assist-
6 ive technology services among targeted individ-
7 uals;

8 (J) increase the awareness of the needs of
9 individuals with disabilities of all ages for as-
10 sistive technology devices and for assistive tech-
11 nology services; and

12 (K) increase the capacity of public agencies
13 and private entities to provide and pay for as-
14 sistive technology devices and assistive technology
15 services on a statewide basis for individuals with
16 disabilities of all ages;

17 (2) to identify Federal policies that facilitate
18 payment for assistive technology devices and assistive
19 technology services, to identify those Federal policies
20 that impede such payment, and to eliminate inappro-
21 priate barriers to such payment; and

22 (3) to enhance the ability of the Federal Govern-
23 ment to—

24 (A) provide States with financial assistance
25 that supports—

1 (i) information and public awareness
2 programs relating to the provision of assist-
3 ive technology devices and assistive tech-
4 nology services;

5 (ii) improved interagency and public-
6 private coordination, especially through
7 new and improved policies, that result in
8 increased availability of assistive technology
9 devices and assistive technology services;
10 and

11 (iii) technical assistance and training
12 in the provision or use of assistive tech-
13 nology devices and assistive technology serv-
14 ices; and

15 (B) fund national, regional, State, and
16 local targeted initiatives that promote under-
17 standing of and access to assistive technology de-
18 vices and assistive technology services for tar-
19 geted individuals.

20 **SEC. 3. DEFINITIONS AND RULE.**

21 (a) *DEFINITIONS.*—In this Act:

22 (1) *ADVOCACY SERVICES.*—The term “advocacy
23 services”, except as used as part of the term “protec-
24 tion and advocacy services”, means services provided
25 to assist individuals with disabilities and their fam-

1 *ily members, guardians, advocates, and authorized*
2 *representatives in accessing assistive technology de-*
3 *vices and assistive technology services.*

4 (2) *ASSISTIVE TECHNOLOGY.*—*The term “assist-*
5 *ive technology” means technology designed to be uti-*
6 *lized in an assistive technology device or assistive*
7 *technology service.*

8 (3) *ASSISTIVE TECHNOLOGY DEVICE.*—*The term*
9 *“assistive technology device” means any item, piece of*
10 *equipment, or product system, whether acquired com-*
11 *mercially, modified, or customized, that is used to in-*
12 *crease, maintain, or improve functional capabilities*
13 *of individuals with disabilities.*

14 (4) *ASSISTIVE TECHNOLOGY SERVICE.*—*The term*
15 *“assistive technology service” means any service that*
16 *directly assists an individual with a disability in the*
17 *selection, acquisition, or use of an assistive technology*
18 *device. Such term includes—*

19 (A) *the evaluation of the assistive tech-*
20 *nology needs of an individual with a disability,*
21 *including a functional evaluation of the impact*
22 *of the provision of appropriate assistive tech-*
23 *nology and appropriate services to the individ-*
24 *ual in the customary environment of the individ-*
25 *ual;*

1 (B) services consisting of purchasing, leas-
2 ing, or otherwise providing for the acquisition of
3 assistive technology devices by individuals with
4 disabilities;

5 (C) services consisting of selecting, design-
6 ing, fitting, customizing, adapting, applying,
7 maintaining, repairing, or replacing assistive
8 technology devices;

9 (D) coordination and use of necessary
10 therapies, interventions, or services with assistive
11 technology devices, such as therapies, interven-
12 tions, or services associated with education and
13 rehabilitation plans and programs;

14 (E) training or technical assistance for an
15 individual with disabilities, or, where appro-
16 priate, the family members, guardians, advo-
17 cates, or authorized representatives of such an
18 individual; and

19 (F) training or technical assistance for pro-
20 fessionals (including individuals providing edu-
21 cation and rehabilitation services), employers, or
22 other individuals who provide services to, em-
23 ploy, or are otherwise substantially involved in
24 the major life functions of individuals with dis-
25 abilities.

1 (5) *CAPACITY BUILDING AND ADVOCACY ACTIVI-*
2 *TIES.—The term “capacity building and advocacy ac-*
3 *tivities” means efforts that—*

4 (A) *result in laws, regulations, policies,*
5 *practices, procedures, or organizational struc-*
6 *tures that promote consumer-responsive pro-*
7 *grams or entities; and*

8 (B) *facilitate and increase access to, provi-*
9 *sion of, and funding for, assistive technology de-*
10 *vices and assistive technology services,*
11 *in order to empower individuals with disabilities to*
12 *achieve greater independence, productivity, and inte-*
13 *gration and inclusion within the community and the*
14 *workforce.*

15 (6) *COMPREHENSIVE STATEWIDE PROGRAM OF*
16 *TECHNOLOGY-RELATED ASSISTANCE.—The term*
17 *“comprehensive statewide program of technology-re-*
18 *lated assistance” means a consumer-responsive pro-*
19 *gram of technology-related assistance for individuals*
20 *with disabilities, implemented by a State, and equal-*
21 *ly available to all individuals with disabilities resid-*
22 *ing in the State, regardless of their type of disability,*
23 *age, income level, or location of residence in the State,*
24 *or the type of assistive technology device or assistive*
25 *technology service required.*

1 (7) *CONSUMER-RESPONSIVE*.—The term “con-
2 sumer-responsive”—

3 (A) *with regard to policies, means that the*
4 *policies are consistent with the principles of—*

5 (i) *respect for individual dignity, per-*
6 *sonal responsibility, self-determination, and*
7 *pursuit of meaningful careers, based on in-*
8 *formed choice, of individuals with disabil-*
9 *ities;*

10 (ii) *respect for the privacy, rights, and*
11 *equal access (including the use of accessible*
12 *formats) of such individuals;*

13 (iii) *inclusion, integration, and full*
14 *participation of such individuals in society;*

15 (iv) *support for the involvement in de-*
16 *isions of a family member, a guardian, an*
17 *advocate, or an authorized representative, if*
18 *an individual with a disability requests, de-*
19 *sires, or needs such involvement; and*

20 (v) *support for individual and systems*
21 *advocacy and community involvement; and*

22 (B) *with respect to an entity, program, or*
23 *activity, means that the entity, program, or ac-*
24 *tivity—*

1 (i) is easily accessible to, and usable
2 by, individuals with disabilities and, when
3 appropriate, their family members, guard-
4 ians, advocates, or authorized representa-
5 tives;

6 (ii) responds to the needs of individ-
7 uals with disabilities in a timely and ap-
8 propriate manner; and

9 (iii) facilitates the full and meaningful
10 participation of individuals with disabili-
11 ties (including individuals from underrep-
12 resented populations and rural populations)
13 and their family members, guardians, advo-
14 cates, and authorized representatives, in—

15 (I) decisions relating to the provi-
16 sion of assistive technology devices and
17 assistive technology services to such in-
18 dividuals; and

19 (II) decisions related to the main-
20 tenance, improvement, and evaluation
21 of the comprehensive statewide pro-
22 gram of technology-related assistance,
23 including decisions that affect advo-
24 cacy, capacity building, and capacity
25 building and advocacy activities.

1 (8) *DISABILITY*.—*The term “disability” means a*
2 *condition of an individual that is considered to be a*
3 *disability or handicap for the purposes of any Fed-*
4 *eral law other than this Act or for the purposes of the*
5 *law of the State in which the individual resides.*

6 (9) *INDIVIDUAL WITH A DISABILITY; INDIVID-*
7 *UALS WITH DISABILITIES*.—

8 (A) *INDIVIDUAL WITH A DISABILITY*.—*The*
9 *term “individual with a disability” means any*
10 *individual of any age, race, or ethnicity—*

11 (i) *who has a disability; and*

12 (ii) *who is or would be enabled by an*
13 *assistive technology device or an assistive*
14 *technology service to minimize deterioration*
15 *in functioning, to maintain a level of func-*
16 *tioning, or to achieve a greater level of func-*
17 *tioning in any major life activity.*

18 (B) *INDIVIDUALS WITH DISABILITIES*.—*The*
19 *term “individuals with disabilities” means more*
20 *than 1 individual with a disability.*

21 (10) *INSTITUTION OF HIGHER EDUCATION*.—*The*
22 *term “institution of higher education” has the mean-*
23 *ing given such term in section 1201(a) of the Higher*
24 *Education Act of 1965 (20 U.S.C. 1141(a)), and in-*
25 *cludes a community college receiving funding under*

1 *the Tribally Controlled Community College Assistance*
2 *Act of 1978 (25 U.S.C. 1801 et seq.).*

3 (11) *PROTECTION AND ADVOCACY SERVICES.—*

4 *The term “protection and advocacy services” means*
5 *services that—*

6 (A) *are described in part C of the Develop-*
7 *mental Disabilities Assistance and Bill of Rights*
8 *Act (42 U.S.C. 6041 et seq.), the Protection and*
9 *Advocacy for Mentally Ill Individuals Act of*
10 *1986 (42 U.S.C. 10801 et seq.), or section 509 of*
11 *the Rehabilitation Act of 1973; and*

12 (B) *assist individuals with disabilities with*
13 *respect to assistive technology devices and assist-*
14 *ive technology services.*

15 (12) *SECRETARY.—The term “Secretary” means*
16 *the Secretary of Education.*

17 (13) *STATE.—*

18 (A) *IN GENERAL.—Except as provided in*
19 *subparagraph (B) and section 302, the term*
20 *“State” means each of the several States of the*
21 *United States, the District of Columbia, the*
22 *Commonwealth of Puerto Rico, the United States*
23 *Virgin Islands, Guam, American Samoa, and*
24 *the Commonwealth of the Northern Mariana Is-*
25 *lands.*

1 (B) *OUTLYING AREAS.*—*In sections 101(c),*
2 *102(c), 103(d), and 104(b):*

3 (i) *OUTLYING AREA.*—*The term “outly-*
4 *ing area” means the United States Virgin*
5 *Islands, Guam, American Samoa, and the*
6 *Commonwealth of the Northern Mariana Is-*
7 *lands.*

8 (ii) *STATE.*—*The term “State” does*
9 *not include the United States Virgin Is-*
10 *lands, Guam, American Samoa, and the*
11 *Commonwealth of the Northern Mariana Is-*
12 *lands.*

13 (14) *TARGETED INDIVIDUALS.*—*The term “tar-*
14 *geted individuals” means—*

15 (A) *individuals with disabilities of all ages*
16 *and their family members, guardians, advocates,*
17 *and authorized representatives;*

18 (B) *individuals who work for public or pri-*
19 *rate entities (including insurers or managed*
20 *care providers), that have contact with individ-*
21 *uals with disabilities;*

22 (C) *educators and related services personnel;*

23 (D) *technology experts (including engi-*
24 *neers);*

25 (E) *health and allied health professionals;*

1 (F) employers; and

2 (G) other appropriate individuals and enti-
3 ties.

4 (15) *TECHNOLOGY-RELATED ASSISTANCE*.—The
5 term “technology-related assistance” means assistance
6 provided through capacity building and advocacy ac-
7 tivities that accomplish the purposes described in any
8 of subparagraphs (A) through (K) of section 2(b)(1).

9 (16) *UNDERREPRESENTED POPULATION*.—The
10 term “underrepresented population” means a popu-
11 lation that is typically underrepresented in service
12 provision, and includes populations such as persons
13 who have low-incidence disabilities, persons who are
14 minorities, poor persons, persons with limited-English
15 proficiency, older individuals, or persons from rural
16 areas.

17 (17) *UNIVERSAL DESIGN*.—The term “universal
18 design” means a concept or philosophy for designing
19 and delivering products and services that are usable
20 by people with the widest possible range of functional
21 capabilities, which include products and services that
22 are directly usable (without requiring assistive tech-
23 nologies) and products and services that are made us-
24 able with assistive technologies.

1 (b) *REFERENCES.*—References in this Act to a provi-
2 sion of the Technology-Related Assistance for Individuals
3 With Disabilities Act of 1988 shall be considered to be ref-
4 erences to such provision as in effect on the day before the
5 date of enactment of this Act.

6 **TITLE I—STATE GRANT**
7 **PROGRAMS**

8 **SEC. 101. CONTINUITY GRANTS FOR STATES THAT RE-**
9 **CEIVED FUNDING FOR A LIMITED PERIOD**
10 **FOR TECHNOLOGY-RELATED ASSISTANCE.**

11 (a) *GRANTS TO STATES.*—

12 (1) *IN GENERAL.*—The Secretary shall award
13 grants, in accordance with this section, to eligible
14 States to support capacity building and advocacy ac-
15 tivities, designed to assist the States in maintaining
16 permanent comprehensive statewide programs of tech-
17 nology-related assistance that accomplish the purposes
18 described in section 2(b)(1).

19 (2) *ELIGIBLE STATES.*—To be eligible to receive
20 a grant under this section a State shall be a State
21 that received grants for less than 10 years under title
22 I of the Technology-Related Assistance for Individuals
23 With Disabilities Act of 1988.

24 (b) *USE OF FUNDS.*—

1 (1) *IN GENERAL.*—*Any State that receives a*
2 *grant under this section shall use the funds made*
3 *available through the grant to carry out the activities*
4 *described in paragraph (2) and may use the funds to*
5 *carry out the activities described in paragraph (3).*

6 (2) *MANDATORY ACTIVITIES.*—

7 (A) *PUBLIC AWARENESS PROGRAM.*—

8 (i) *IN GENERAL.*—*The State shall sup-*
9 *port a public awareness program designed*
10 *to provide information to targeted individ-*
11 *uals relating to the availability and benefits*
12 *of assistive technology devices and assistive*
13 *technology services.*

14 (ii) *LINK.*—*Such a public awareness*
15 *program shall have an electronic link to the*
16 *National Public Internet Site authorized*
17 *under section 106(c)(1).*

18 (iii) *CONTENTS.*—*The public aware-*
19 *ness program may include—*

20 (I) *the development and dissemi-*
21 *nation of information relating to—*

22 (aa) *the nature of assistive*
23 *technology devices and assistive*
24 *technology services;*

1 (bb) the appropriateness of,
2 cost of, availability of, evaluation
3 of, and access to, assistive tech-
4 nology devices and assistive tech-
5 nology services; and

6 (cc) the benefits of assistive
7 technology devices and assistive
8 technology services with respect to
9 enhancing the capacity of individ-
10 uals with disabilities of all ages to
11 perform activities of daily living;

12 (II) the development of procedures
13 for providing direct communication be-
14 tween providers of assistive technology
15 and targeted individuals; and

16 (III) the development and dis-
17 semination, to targeted individuals, of
18 information about State efforts related
19 to assistive technology.

20 (B) INTERAGENCY COORDINATION.—

21 (i) IN GENERAL.—The State shall de-
22 velop and promote the adoption of policies
23 that improve access to assistive technology
24 devices and assistive technology services for
25 individuals with disabilities of all ages in

1 *the State and that result in improved co-*
2 *ordination among public and private enti-*
3 *ties that are responsible or have the author-*
4 *ity to be responsible, for policies, proce-*
5 *dures, or funding for, or the provision of as-*
6 *istive technology devices and assistive tech-*
7 *nology services to, such individuals.*

8 *(ii) APPOINTMENT TO CERTAIN INFOR-*
9 *MATION TECHNOLOGY PANELS.—The State*
10 *shall appoint the director of the lead agency*
11 *described in subsection (d) or the designee of*
12 *the director, to any committee, council, or*
13 *similar organization created by the State to*
14 *assist the State in the development of the*
15 *information technology policy of the State.*

16 *(iii) COORDINATION ACTIVITIES.—The*
17 *development and promotion described in*
18 *clause (i) may include support for—*

19 *(I) policies that result in im-*
20 *proved coordination, including coordi-*
21 *nation between public and private en-*
22 *tities—*

23 *(aa) in the application of*
24 *Federal and State policies;*

1 *(bb) in the use of resources*
2 *and services relating to the provi-*
3 *sion of assistive technology devices*
4 *and assistive technology services,*
5 *including the use of interagency*
6 *agreements; and*

7 *(cc) in the improvement of*
8 *access to assistive technology de-*
9 *vices and assistive technology*
10 *services for individuals with dis-*
11 *abilities of all ages in the State;*

12 *(II) convening interagency work*
13 *groups, involving public and private*
14 *entities, to identify, create, or expand*
15 *funding options, and coordinate access*
16 *to funding, for assistive technology de-*
17 *vices and assistive technology services*
18 *for individuals with disabilities of all*
19 *ages; or*

20 *(III) documenting and dissemi-*
21 *nating information about interagency*
22 *activities that promote coordination,*
23 *including coordination between public*
24 *and private entities, with respect to as-*

1 *sistive technology devices and assistive*
2 *technology services.*

3 (C) *TECHNICAL ASSISTANCE AND TRAIN-*
4 *ING.—The State shall carry out directly, or pro-*
5 *vide support to public or private entities to*
6 *carry out, technical assistance and training ac-*
7 *tivities for targeted individuals, including—*

8 (i) *the development and implementa-*
9 *tion of laws, regulations, policies, practices,*
10 *procedures, or organizational structures*
11 *that promote access to assistive technology*
12 *devices and assistive technology services for*
13 *individuals with disabilities in education,*
14 *health care, employment, and community*
15 *living contexts, and in other contexts such*
16 *as leisure activities and the use of tele-*
17 *communications;*

18 (ii)(I) *the development of training ma-*
19 *terials and the conduct of training in the*
20 *use of assistive technology devices and as-*
21 *sistive technology services; and*

22 (II) *the provision of technical assist-*
23 *ance, including technical assistance con-*
24 *cerning how—*

1 (aa) to consider the needs of an
2 individual with a disability for assist-
3 ive technology devices and assistive
4 technology services in developing any
5 individualized plan or program au-
6 thorized under Federal or State law;

7 (bb) the rights of targeted individ-
8 uals to assistive technology devices and
9 assistive technology services are ad-
10 dressed under laws other than this Act,
11 to promote fuller independence, produc-
12 tivity, and inclusion in and integra-
13 tion into society of such individuals; or

14 (cc) to increase consumer partici-
15 pation in the identification, planning,
16 use, delivery, and evaluation of assist-
17 ive technology devices and assistive
18 technology services; and

19 (iii)(I) the enhancement of the assistive
20 technology skills and competencies of—

21 (aa) individuals who work for
22 public or private entities (including
23 insurers and managed care providers),
24 who have contact with individuals
25 with disabilities;

1 (bb) *educators and related services*
2 *personnel;*

3 (cc) *technology experts (including*
4 *engineers);*

5 (dd) *health and allied health pro-*
6 *essionals;*

7 (ee) *employers; and*

8 (ff) *other appropriate personnel;*
9 *and*

10 (II) *taking action to facilitate the de-*
11 *velopment of standards, or, when appro-*
12 *priate, the application of such standards, to*
13 *ensure the availability of qualified person-*
14 *nel.*

15 (D) *OUTREACH.—The State shall provide*
16 *support to statewide and community-based orga-*
17 *nizations that provide assistive technology de-*
18 *vices and assistive technology services to individ-*
19 *uals with disabilities or that assist individuals*
20 *with disabilities in using assistive technology de-*
21 *vices and assistive technology services, including*
22 *a focus on organizations assisting individuals*
23 *from underrepresented populations and rural*
24 *populations. Such support may include outreach*
25 *to consumer organizations and groups in the*

1 *State to coordinate efforts (including self-help,*
2 *support group activities, and peer mentoring) to*
3 *assist individuals with disabilities of all ages*
4 *and their family members, guardians, advocates,*
5 *or authorized representatives, to obtain funding*
6 *for, access to, and information on evaluation of*
7 *assistive technology devices and assistive tech-*
8 *nology services.*

9 (3) *DISCRETIONARY ACTIVITIES.*—

10 (A) *ALTERNATIVE STATE-FINANCED SYS-*
11 *TEMS.*—*The State may support activities to in-*
12 *crease access to, and funding for, assistive tech-*
13 *nology devices and assistive technology services,*
14 *including—*

15 (i) *the development of systems that*
16 *provide assistive technology devices and as-*
17 *sistive technology services to individuals*
18 *with disabilities of all ages, and that pay*
19 *for such devices and services, such as—*

20 (I) *the development of systems for*
21 *the purchase, lease, other acquisition,*
22 *or payment for the provision, of assist-*
23 *ive technology devices and assistive*
24 *technology services; or*

1 (ii) the establishment of alter-
2 native State or privately financed sys-
3 tems of subsidies for the provision of
4 assistive technology devices and assist-
5 ive technology services, such as—

6 (aa) a low-interest loan fund;

7 (bb) an interest buy-down
8 program;

9 (cc) a revolving loan fund;

10 (dd) a loan guarantee or in-
11 surance program;

12 (ee) a program operated by a
13 partnership among private enti-
14 ties for the purchase, lease, or
15 other acquisition of assistive tech-
16 nology devices or assistive tech-
17 nology services; or

18 (ff) another mechanism that
19 meets the requirements of title III
20 and is approved by the Secretary;

21 (ii) the short-term loan of assistive
22 technology devices to individuals, employers,
23 public agencies, or public accommodations
24 seeking strategies to comply with the Ameri-
25 cans with Disabilities Act of 1990 (42

1 *U.S.C. 12101 et seq.) and section 504 of the*
2 *Rehabilitation Act of 1973 (29 U.S.C. 794);*
3 *or*

4 *(iii) the maintenance of information*
5 *about, and recycling centers for, the redis-*
6 *tribution of assistive technology devices and*
7 *equipment, which may include redistribu-*
8 *tion through device and equipment loans,*
9 *rentals, or gifts.*

10 (B) *DEMONSTRATIONS.—The State, in col-*
11 *laboration with other entities in established, rec-*
12 *ognized community settings (such as nonprofit*
13 *organizations, libraries, schools, community-*
14 *based employer organizations, churches, and en-*
15 *tities operating senior citizen centers, shopping*
16 *malls, and health clinics), may demonstrate as-*
17 *istive technology devices in settings where tar-*
18 *geted individuals can see and try out assistive*
19 *technology devices, and learn more about the de-*
20 *vices from personnel who are familiar with such*
21 *devices and their applications or can be referred*
22 *to other entities who have information on the de-*
23 *vices.*

24 (C) *OPTIONS FOR SECURING DEVICES AND*
25 *SERVICES.—The State, through public agencies*

1 or nonprofit organizations, may support assist-
2 ance to individuals with disabilities and their
3 family members, guardians, advocates, and au-
4 thorized representatives about options for secur-
5 ing assistive technology devices and assistive
6 technology services that would meet individual
7 needs for such assistive technology devices and
8 assistive technology services. Such assistance
9 shall not include direct payment for an assistive
10 technology device.

11 (D) TECHNOLOGY-RELATED INFORMA-
12 TION.—

13 (i) IN GENERAL.—The State may oper-
14 ate and expand a system for public access
15 to information concerning an activity car-
16 ried out under another paragraph of this
17 subsection, including information about as-
18 sistive technology devices and assistive tech-
19 nology services, funding sources and costs of
20 such devices and services, and individuals,
21 organizations, and agencies capable of car-
22 rying out such an activity for individuals
23 with disabilities. The system shall be part
24 of, and complement the information that is
25 available through a link to, the National

1 *Public Internet Site described in section*
2 *106(c)(1).*

3 (ii) *ACCESS.—Access to the system*
4 *may be provided through community-based*
5 *locations, including public libraries, centers*
6 *for independent living (as defined in section*
7 *702 of the Rehabilitation Act of 1973), loca-*
8 *tions of community rehabilitation programs*
9 *(as defined in section 7 of such Act),*
10 *schools, senior citizen centers, State voca-*
11 *tional rehabilitation offices, other State*
12 *workforce offices, and other locations fre-*
13 *quented or used by the public.*

14 (iii) *INFORMATION COLLECTION AND*
15 *PREPARATION.—In operating or expanding*
16 *a system described in subparagraph (A), the*
17 *State may—*

18 (I) *develop, compile, and cat-*
19 *egorize print, large print, braille,*
20 *audio, and video materials, computer*
21 *disks, compact discs (including com-*
22 *compact discs formatted with read-only*
23 *memory), information in alternative*
24 *formats that can be used in telephone-*
25 *based information systems, and mate-*

1 *rials using such other media as techno-*
2 *logical innovation may make appro-*
3 *priate;*

4 *(II) identify and classify funding*
5 *sources for obtaining assistive tech-*
6 *nology devices and assistive technology*
7 *services, and the conditions of and cri-*
8 *teria for access to such sources, includ-*
9 *ing any funding mechanisms or strate-*
10 *gies developed by the State;*

11 *(III) identify support groups and*
12 *systems designed to help individuals*
13 *with disabilities make effective use of*
14 *an activity carried out under another*
15 *paragraph of this subsection, including*
16 *groups that provide evaluations of as-*
17 *istive technology devices and assistive*
18 *technology services; and*

19 *(IV) maintain a record of the ex-*
20 *tent to which citizens of the State use*
21 *or make inquiries of the system estab-*
22 *lished in clause (i), and of the nature*
23 *of such inquiries.*

24 *(E) INTERSTATE ACTIVITIES.—*

1 (i) *IN GENERAL.*—*The State may enter*
2 *into cooperative agreements with other*
3 *States to expand the capacity of the States*
4 *involved to assist individuals with disabili-*
5 *ties of all ages to learn about, acquire, use,*
6 *maintain, adapt, and upgrade assistive*
7 *technology devices and assistive technology*
8 *services that such individuals need at home,*
9 *at school, at work, or in other environments*
10 *that are part of daily living.*

11 (ii) *ELECTRONIC COMMUNICATION.*—
12 *The State may operate or participate in an*
13 *electronic information exchange through*
14 *which the State may communicate with*
15 *other States to gain technical assistance in*
16 *a timely fashion and to avoid the duplica-*
17 *tion of efforts already undertaken in other*
18 *States.*

19 (F) *PARTNERSHIPS AND COOPERATIVE INI-*
20 *TIATIVES.*—*The State may support partnerships*
21 *and cooperative initiatives between the public*
22 *sector and the private sector to promote greater*
23 *participation by business and industry in—*

1 (i) *the development, demonstration,*
2 *and dissemination of assistive technology*
3 *devices; and*

4 (ii) *the ongoing provision of informa-*
5 *tion about new products to assist individ-*
6 *uals with disabilities.*

7 (G) *EXPENSES.—The State may pay for ex-*
8 *penses, including travel expenses, and services,*
9 *including services of qualified interpreters, read-*
10 *ers, and personal care assistants, that may be*
11 *necessary to ensure access to the comprehensive*
12 *statewide program of technology-related assist-*
13 *ance by individuals with disabilities who are de-*
14 *termined by the State to be in financial need*
15 *and not eligible for such payments or services*
16 *through another public agency or private entity.*

17 (H) *ADVOCACY SERVICES.—The State may*
18 *provide advocacy services.*

19 (c) *AMOUNT OF FINANCIAL ASSISTANCE.—*

20 (1) *GRANTS TO OUTLYING AREAS.—From the*
21 *funds appropriated under section 107(a) and reserved*
22 *under clause (i) of subparagraph (A), (B), or (C) of*
23 *section 107(b)(1) for any fiscal year for grants under*
24 *this section, the Secretary shall make a grant in an*

1 amount of not more than \$105,000 to each eligible
2 outlying area.

3 (2) GRANTS TO STATES.—From the funds de-
4 scribed in paragraph (1) that are not used to make
5 grants under paragraph (1), the Secretary shall make
6 grants to States in accordance with the requirements
7 described in paragraph (3).

8 (3) CALCULATION OF STATE GRANTS.—

9 (A) CALCULATIONS FOR GRANTS IN THE
10 SECOND OR THIRD YEAR OF A SECOND EXTEN-
11 SION GRANT.—For any fiscal year, the Secretary
12 shall calculate the amount of a grant under
13 paragraph (2) for each eligible State that would
14 be in the second or third year of a second exten-
15 sion grant made under section 103 of the Tech-
16 nology-Related Assistance for Individuals With
17 Disabilities Act of 1988, if that Act had been re-
18 authorized for that fiscal year, in accordance
19 with section 103(c)(2) of such Act.

20 (B) CALCULATIONS FOR GRANTS IN THE
21 FOURTH OR FIFTH YEAR OF A SECOND EXTEN-
22 SION GRANT.—

23 (i) FOURTH YEAR.—An eligible State
24 that would have been in the fourth year of
25 a second extension grant made under sec-

1 *tion 103 of the Technology-Related Assist-*
2 *ance for Individuals With Disabilities Act*
3 *of 1988 during a fiscal year, if that Act had*
4 *been reauthorized for that fiscal year, shall*
5 *receive under paragraph (2) a grant in an*
6 *amount equal to 75 percent of the funding*
7 *that the State received in the prior fiscal*
8 *year under section 103 of that Act or under*
9 *this section, as appropriate.*

10 *(ii) FIFTH YEAR.—An eligible State*
11 *that would have been in the fifth year of a*
12 *second extension grant made under section*
13 *103 of the Technology-Related Assistance for*
14 *Individuals With Disabilities Act of 1988*
15 *during a fiscal year, if that Act had been*
16 *reauthorized for that fiscal year, shall re-*
17 *ceive under paragraph (2) a grant in an*
18 *amount equal to 66²/₃ percent of the funding*
19 *that the State received in the prior fiscal*
20 *year under section 103 of that Act or under*
21 *this section, as appropriate.*

22 *(C) ADDITIONAL STATES.—*

23 *(i) IN GENERAL.—For purposes of this*
24 *paragraph, the Secretary shall treat a State*
25 *described in clause (ii)—*

1 (I) for fiscal years 1999 through
2 2001, as if the State were a State de-
3 scribed in subparagraph (A); and

4 (II) for fiscal year 2002 or 2003,
5 as if the State were a State described
6 in clause (i) or (ii), respectively, of
7 subparagraph (B).

8 (ii) STATE.—A State referred to in
9 clause (i) shall be a State that—

10 (I) in fiscal year 1998, was in the
11 second year of an initial extension
12 grant made under section 103 of the
13 Technology-Related Assistance for In-
14 dividuals With Disabilities Act of
15 1988; and

16 (II) meets such terms and condi-
17 tions as the Secretary shall determine
18 to be appropriate.

19 (d) LEAD AGENCY.—

20 (1) IDENTIFICATION.—

21 (A) IN GENERAL.—To be eligible to receive
22 a grant under this section, a State shall des-
23 ignate a lead agency to carry out appropriate
24 State functions under this section. The lead
25 agency shall be the current agency (as of the date

1 *of submission of the application supplement de-*
2 *scribed in subsection (e)) administering the*
3 *grant awarded to the State for fiscal year 1998*
4 *under title I of the Technology-Related Assist-*
5 *ance for Individuals With Disabilities Act of*
6 *1988, except as provided in subparagraph (B).*

7 *(B) CHANGE IN AGENCY.—The Governor*
8 *may change the lead agency if the Governor*
9 *shows good cause to the Secretary why the des-*
10 *ignated lead agency should be changed, in the*
11 *application supplement described in subsection*
12 *(e), and obtains approval of the supplement.*

13 *(2) DUTIES OF THE LEAD AGENCY.—The duties*
14 *of the lead agency shall include—*

15 *(A) submitting the application supplement*
16 *described in subsection (e) on behalf of the State;*

17 *(B) administering and supervising the use*
18 *of amounts made available under the grant re-*
19 *ceived by the State under this section;*

20 *(C)(i) coordinating efforts related to, and*
21 *supervising the preparation of, the application*
22 *supplement described in subsection (e);*

23 *(ii) continuing the coordination of the*
24 *maintenance and evaluation of the comprehen-*
25 *sive statewide program of technology-related as-*

1 *sistance among public agencies and between pub-*
2 *lic agencies and private entities, including co-*
3 *ordinating efforts related to entering into inter-*
4 *agency agreements; and*

5 *(iii) continuing the coordination of efforts,*
6 *especially efforts carried out with entities that*
7 *provide protection and advocacy services de-*
8 *scribed in section 104, related to the active, time-*
9 *ly, and meaningful participation by individuals*
10 *with disabilities and their family members,*
11 *guardians, advocates, or authorized representa-*
12 *tives, and other appropriate individuals, with*
13 *respect to activities carried out under the grant;*
14 *and*

15 *(D) the delegation, in whole or in part, of*
16 *any responsibilities described in subparagraph*
17 *(A), (B), or (C) to 1 or more appropriate offices,*
18 *agencies, entities, or individuals.*

19 *(e) APPLICATION SUPPLEMENT.—*

20 *(1) SUBMISSION.—Any State that desires to re-*
21 *ceive a grant under this section shall submit to the*
22 *Secretary an application supplement to the applica-*
23 *tion the State submitted under section 103 of the*
24 *Technology-Related Assistance for Individuals With*
25 *Disabilities Act of 1988, at such time, in such man-*

1 *ner, and for such period as the Secretary may specify,*
2 *that contains the following information:*

3 (A) *GOALS AND ACTIVITIES.*—*A description*

4 *of—*

5 (i) *the goals the State has set, for ad-*
6 *dressing the assistive technology needs of in-*
7 *dividuals with disabilities in the State, in-*
8 *cluding any related to—*

9 (I) *health care;*

10 (II) *education;*

11 (III) *employment, including goals*
12 *involving the State vocational rehabili-*
13 *tation program carried out under title*
14 *I of the Rehabilitation Act of 1973;*

15 (IV) *telecommunication and infor-*
16 *mation technology; or*

17 (V) *community living, including*
18 *participation in recreation; and*

19 (ii) *the activities the State will under-*
20 *take to achieve such goals, in accordance*
21 *with the requirements of subsection (b).*

22 (B) *MEASURES OF GOAL ACHIEVEMENT.*—*A*
23 *description of how the State will measure wheth-*
24 *er the goals set by the State have been achieved.*

1 (C) *INVOLVEMENT OF INDIVIDUALS WITH*
2 *DISABILITIES OF ALL AGES AND THEIR FAMI-*
3 *LIES.—A description of how individuals with*
4 *disabilities of all ages and their families—*

5 (i) *were involved in selecting—*

6 (I) *the goals;*

7 (II) *the activities to be undertaken*
8 *in achieving the goals; and*

9 (III) *the measures to be used in*
10 *judging if the goals have been achieved;*
11 *and*

12 (ii) *will be involved in measuring*
13 *whether the goals have been achieved.*

14 (D) *REDESIGNATION OF THE LEAD AGEN-*
15 *CY.—If the Governor elects to change the lead*
16 *agency, the following information:*

17 (i) *With regard to the original lead*
18 *agency, evidence of—*

19 (I) *lack of progress in employment*
20 *of qualified staff;*

21 (II) *lack of consumer-responsive*
22 *activities;*

23 (III) *lack of resource allocation*
24 *for systems change and advocacy ac-*
25 *tivities;*

1 (IV) *lack of progress in meeting*
 2 *the assurances in the application sub-*
 3 *mitted by the State under section*
 4 *102(e) of the Technology-Related As-*
 5 *sistance for Individuals With Disabil-*
 6 *ities Act of 1988; or*

7 (V) *inadequate fiscal manage-*
 8 *ment.*

9 (ii) *With regard to the new lead agen-*
 10 *cy, a description of—*

11 (I) *the capacity of the new lead*
 12 *agency to administer and conduct ac-*
 13 *tivities described in subsection (b) and*
 14 *this paragraph; and*

15 (II) *the procedures that the State*
 16 *will implement to avoid the defi-*
 17 *ciencies, described in clause (i), of the*
 18 *original lead agency.*

19 (iii) *Information identifying which*
 20 *agency prepared the application supple-*
 21 *ment.*

22 (2) *INTERIM STATUS OF STATE OBLIGATIONS.—*
 23 *Except as provided in subsection (f)(2), when the Sec-*
 24 *retary notifies a State that the State shall submit the*
 25 *application supplement to the application the State*

1 *submitted under section 103 of the Technology-Related*
2 *Assistance for Individuals With Disabilities Act of*
3 *1988, the Secretary shall specify in the notification*
4 *the time period for which the application supplement*
5 *shall apply, consistent with paragraph (4).*

6 (3) *CONTINUING OBLIGATIONS.—Each State that*
7 *receives a grant under this section shall continue to*
8 *abide by the assurances the State made in the appli-*
9 *cation the State submitted under section 103 of the*
10 *Technology-Related Assistance for Individuals With*
11 *Disabilities Act of 1988 and continue to comply with*
12 *reporting requirements under that Act.*

13 (4) *DURATION OF APPLICATION SUPPLEMENT.—*

14 (A) *DETERMINATION.—The Secretary shall*
15 *determine and specify to the State the time pe-*
16 *riod for which the application supplement shall*
17 *apply, in accordance with subparagraph (B).*

18 (B) *LIMIT.—Such time period for any State*
19 *shall not extend beyond the year that would have*
20 *been the fifth year of a second extension grant*
21 *made for that State under section 103 of the*
22 *Technology-Related Assistance for Individuals*
23 *With Disabilities Act of 1988, if the Act had been*
24 *reauthorized through that year.*

1 (f) *OPTIONS RELATED TO FUNDING FOR FISCAL*
2 *YEARS 1999 THROUGH 2004.*—

3 (1) *EXTENSIONS.*—

4 (A) *IN GENERAL.*—*In the case of a State*
5 *that was in the fifth year of a second extension*
6 *grant made under section 103 of the Technology-*
7 *Related Assistance for Individuals With Disabil-*
8 *ities Act of 1988 in fiscal year 1998, the Sec-*
9 *retary may, in the discretion of the Secretary,*
10 *award a 1-year extension of the grant received*
11 *for fiscal year 1999 to such a State if the State*
12 *submits an application supplement under sub-*
13 *section (e) and meets other related requirements*
14 *for a State seeking a grant under this section.*

15 (B) *AMOUNT.*—*A State that receives a 1-*
16 *year extension of a grant under subparagraph*
17 *(A), shall receive through the grant, for fiscal*
18 *year 1999, an amount equivalent to the amount*
19 *the State received for fiscal year 1998 under sec-*
20 *tion 103 of the Technology-Related Assistance for*
21 *Individuals With Disabilities Act of 1988, from*
22 *funds appropriated under section 107(a) and re-*
23 *served under clause (i) of subparagraph (A), (B),*
24 *or (C) of section 107(b)(1) for grants under this*
25 *section.*

1 (2) *CHALLENGE GRANTS.*—*For fiscal year 2000,*
2 *any State eligible to receive funds under this section*
3 *may elect to meet the requirements of and receive*
4 *funds under section 102 instead of meeting the re-*
5 *quirements of and receiving funds under this section.*
6 *No State may receive funds under this section and*
7 *section 102 for a fiscal year.*

8 **SEC. 102. STATE CHALLENGE GRANTS.**

9 (a) *GRANTS TO STATES.*—*The Secretary shall award*
10 *grants to States to assist the States in maintaining and*
11 *improving comprehensive statewide programs of technology-*
12 *related assistance for individuals with disabilities in ac-*
13 *cordance with the provisions of this section. The Secretary*
14 *shall provide assistance through such a grant to a State*
15 *for 5 years.*

16 (b) *USE OF FUNDS.*—

17 (1) *IN GENERAL.*—*A State that receives a grant*
18 *under this section shall use the funds made available*
19 *through the grant to accomplish the purposes de-*
20 *scribed in section 2(b)(1) by carrying out activities*
21 *described in this subsection, based on an assessment*
22 *of the needs for assistive technology devices and assist-*
23 *ive technology services of individuals with disabilities*
24 *in the State, as reported by such individuals, and*
25 *through other means. The State shall, in appropriate*

1 cases, promote, consider, take into account, and incor-
2 porate the principles of universal design.

3 (2) *MANDATORY ACTIVITIES.*—

4 (A) *INTERAGENCY COORDINATION.*—The
5 State shall develop and promote the adoption of
6 policies that improve access to assistive tech-
7 nology devices and assistive technology services
8 for individuals with disabilities of all ages in the
9 State and that result in improved coordination
10 among public and private entities that affect the
11 provision of assistive technology devices and as-
12 sistive technology services for such individuals.
13 The State shall appoint the director of the State
14 Assistive Technology Office designated under sub-
15 section (d)(1)(A) or the designee of the director,
16 to any committee, council, or similar organiza-
17 tion created by the State to assist the State in
18 the development of the information technology
19 policy of the State.

20 (B) *ASSISTIVE TECHNOLOGY INFORMATION*
21 *SYSTEM.*—The State shall provide for the con-
22 tinuation and enhancement of a statewide infor-
23 mation and referral system for individuals with
24 disabilities and providers of services for individ-
25 uals with disabilities. The system shall include

1 *an accessible Internet site with linkages to other*
2 *appropriate sites, such as the National Public*
3 *Internet Site described in section 106(c)(1). The*
4 *system shall provide for public access to informa-*
5 *tion about assistive technology devices and as-*
6 *sistive technology services, including information*
7 *on the evaluation of such devices and services*
8 *and entities that provide such evaluations, and*
9 *funding sources for and costs of obtaining such*
10 *devices and services.*

11 *(C) PUBLIC AWARENESS PROGRAM.—The*
12 *State shall support, in collaboration with tar-*
13 *geted individuals, targeted public awareness*
14 *campaigns designed to provide information to*
15 *targeted individuals about the availability,*
16 *through public and private sources, and benefits,*
17 *of assistive technology devices and assistive tech-*
18 *nology services.*

19 *(D) CAPACITY BUILDING AND ADVOCACY AC-*
20 *TIVITIES; TECHNICAL ASSISTANCE AND TRAIN-*
21 *ING.—*

22 *(i) IN GENERAL.—The State shall sup-*
23 *port capacity building and advocacy activi-*
24 *ties that include—*

1 (I) the development and imple-
2 mentation of laws, regulations, poli-
3 cies, practices, procedures, or organiza-
4 tional structures that promote access to
5 assistive technology devices and assist-
6 ive technology services for individuals
7 with disabilities in education, health
8 care, employment, and community liv-
9 ing contexts, and in other contexts such
10 as leisure activities and the use of tele-
11 communications; and

12 (II) the training and preparation
13 of personnel to design, build, provide
14 instruction on the use of, repair, and
15 recycle assistive technology devices and
16 to provide assistive technology services.

17 (ii) *TARGETED TECHNICAL ASSISTANCE*
18 *AND TRAINING.*—The State shall also sup-
19 port public or private entities to carry out
20 targeted technical assistance and training
21 activities.

22 (E) *OUTREACH.*—The State shall provide
23 support to statewide and community-based orga-
24 nizations that provide assistive technology de-
25 vices and assistive technology services to individ-

1 uals with disabilities or that assist individuals
2 with disabilities in using assistive technology de-
3 vices and assistive technology services, including
4 a focus on organizations assisting individuals
5 from underrepresented populations and rural
6 populations. Such support may include outreach
7 to consumer organizations and groups in the
8 State to coordinate efforts (including self-help,
9 support group activities, and peer mentoring) to
10 assist individuals with disabilities of all ages
11 and their family members, guardians, advocates,
12 or authorized representatives, to obtain funding
13 for, access to, and information on evaluation of
14 assistive technology devices and assistive tech-
15 nology services.

16 (3) *DISCRETIONARY ACTIVITIES.*—A State that
17 receives a grant under this section may use the funds
18 made available through the grant to carry out addi-
19 tional activities that were authorized under the *Tech-*
20 *nology-Related Assistance for Individuals With Dis-*
21 *abilities Act of 1988*, or other activities identified by
22 the Secretary or the State, to which the Secretary
23 gives approval.

24 (c) *AMOUNT OF FINANCIAL ASSISTANCE.*—

1 (1) *GRANTS TO OUTLYING AREAS.*—From the
2 funds appropriated under section 107(a) and reserved
3 under clause (i) of subparagraph (A), (B), or (C) of
4 section 107(b)(1) for any fiscal year for grants under
5 this section, the Secretary shall make a grant in an
6 amount of not more than \$105,000 to each eligible
7 outlying area.

8 (2) *GRANTS TO STATES.*—From the funds de-
9 scribed in paragraph (1) that are not used to make
10 grants under paragraph (1), the Secretary shall make
11 grants to States from allotments made in accordance
12 with the requirements described in paragraph (3).

13 (3) *ALLOTMENTS.*—From the funds described in
14 paragraph (1) that are not used to make grants under
15 paragraph (1)—

16 (A) the Secretary shall allot \$500,000 to
17 each State; and

18 (B) from the remainder of the funds—

19 (i) the Secretary shall allot to each
20 State an amount that bears the same ratio
21 to 80 percent of the remainder as the popu-
22 lation of the State bears to the population
23 of all States; and

24 (ii) the Secretary shall allot to each
25 State with a population density that is not

1 *more than 10 percent greater than the pop-*
 2 *ulation density of the United States (ac-*
 3 *cording to the most recently available cen-*
 4 *sus data) an equal share from 20 percent of*
 5 *the remainder.*

6 *(d) STATE TECHNOLOGY PLAN.—Any State that de-*
 7 *sires to receive a grant under this section shall submit to*
 8 *the Secretary a plan, at such time, in such manner, and*
 9 *for such period as the Secretary may specify, that contains*
 10 *the following information and assurances:*

11 *(1) DESIGNATION OF PUBLIC AGENCY AND STATE*
 12 *ASSISTIVE TECHNOLOGY OFFICE.—*

13 *(A) IN GENERAL.—Information identifying,*
 14 *and a description of, the public agency des-*
 15 *ignated by the Governor to control and admin-*
 16 *ister the funds made available through the grant*
 17 *awarded to the State under this section, and in-*
 18 *formation identifying the entity designated by*
 19 *the Governor to be the State Assistive Technology*
 20 *Office (which shall carry out State activities*
 21 *under this section), if such entity is different*
 22 *than the designated public agency. In designat-*
 23 *ing the entity to be the State Assistive Tech-*
 24 *nology Office, the Governor may designate—*

1 (i) a commission, council, or other offi-
2 cial body appointed by the Governor;

3 (ii) a public-private partnership or
4 consortium;

5 (iii) a public agency, including the im-
6 mediate office of the Governor of the State,
7 a State oversight office, a State agency, a
8 public institution of higher education, a
9 university-affiliated program, or another
10 public entity;

11 (iv) a council established under Fed-
12 eral or State law; or

13 (v) another appropriate office, agency,
14 entity, or individual.

15 (B) *EXPERTISE, EXPERIENCE, AND ABILITY*
16 *OF STATE ASSISTIVE TECHNOLOGY OFFICE.*—A
17 description demonstrating that the entity des-
18 ignated as the State Assistive Technology Office
19 has the expertise, experience, and ability to—

20 (i) provide leadership in developing
21 State policy related to assistive technology,
22 including policy relating to the procurement
23 of accessible electronic and information
24 technology by State agencies and the incor-

1 *poration of principles of universal design in*
2 *the State infrastructure;*

3 *(ii) respond to assistive technology*
4 *needs of individuals with disabilities with*
5 *the full range of disabilities and of all ages;*

6 *(iii) promote availability throughout*
7 *the State of assistive technology devices and*
8 *assistive technology services;*

9 *(iv) promote and implement system*
10 *improvement and policy advocacy activities*
11 *pertaining to assistive technology devices*
12 *and assistive technology services;*

13 *(v) work proactively and collabo-*
14 *ratively with State agencies and private en-*
15 *tities involved in funding and delivering as-*
16 *istive technology devices and assistive tech-*
17 *nology services;*

18 *(vi) provide technical assistance for ca-*
19 *pacitv building and advocacy activities and*
20 *training relating to assistive technology de-*
21 *vices and assistive technology services, and*
22 *enhancement of access to funding for assist-*
23 *ive technology, across all State agencies;*

24 *(vii) promote and develop public-pri-*
25 *vate partnerships related to assistive tech-*

1 *nology devices and assistive technology serv-*
2 *ices;*

3 *(viii) exercise leadership in identifying*
4 *and responding to the technology needs of*
5 *individuals with disabilities and their fam-*
6 *ily members, guardians, advocates, and au-*
7 *thorized representatives; and*

8 *(ix) promote consumer confidence, re-*
9 *sponsiveness, and advocacy related to assist-*
10 *ive technology devices and assistive tech-*
11 *nology services.*

12 *(2) INVOLVEMENT OF ENTITIES AND TARGETED*
13 *INDIVIDUALS IN THE DEVELOPMENT OF THE PLAN*
14 *AND IMPLEMENTATION OF THE ACTIVITIES.—*

15 *(A) ENTITIES.—A description of how var-*
16 *ious public and private entities were involved in*
17 *the development of the plan and will be involved*
18 *in the planned implementation of the activities*
19 *to be carried out under the grant, including a*
20 *description of the nature and extent of each type*
21 *of involvement.*

22 *(B) TARGETED INDIVIDUALS.—A descrip-*
23 *tion of how targeted individuals, especially indi-*
24 *viduals with disabilities who use assistive tech-*
25 *nology, were involved in the development of the*

1 *plan and will be involved in the planned imple-*
2 *mentation of the activities, including a descrip-*
3 *tion of the nature and extent of each type of in-*
4 *volvement.*

5 (3) *ADVISORY GROUP.*—*A description of an advi-*
6 *sory group of targeted individuals, a majority of*
7 *whom are individuals with disabilities and parents of*
8 *such individuals, who will assist the State Assistive*
9 *Technology Office in identifying the unmet assistive*
10 *technology needs of individuals with disabilities and*
11 *assist the Office in deciding how the assistive tech-*
12 *nology needs of such individuals will be addressed by*
13 *the State.*

14 (4) *NEEDS ASSESSMENT.*—*A description and the*
15 *results of a needs assessment from which the goals de-*
16 *scribed in paragraph (7) were derived.*

17 (5) *STATE RESOURCES.*—*A description of State*
18 *resources and other resources that are available to*
19 *commit to the maintenance of the comprehensive*
20 *statewide program of technology-related assistance.*

21 (6) *ELECTRONIC AND INFORMATION TECH-*
22 *NOLOGY.*—*An assurance that the State, and any re-*
23 *cipient of funds made available to the State under*
24 *this section, not later than fiscal year 2001, will have*
25 *procurement policies and procedures in effect that are*

1 *consistent with the objectives, complaint procedures,*
 2 *and standards of section 508 of the Rehabilitation Act*
 3 *of 1973.*

4 (7) *GOALS AND ACTIVITIES.—*

5 (A) *IN GENERAL.—A description of—*

6 (i) *the goals the State has set, for ad-*
 7 *ressing the assistive technology needs of in-*
 8 *dividuals with disabilities in the State, in-*
 9 *cluding any goals related to—*

10 (I) *health care;*

11 (II) *education;*

12 (III) *employment, including goals*
 13 *involving the State vocational rehabili-*
 14 *tation program carried out under title*
 15 *I of the Rehabilitation Act of 1973;*

16 (IV) *telecommunication and infor-*
 17 *mation technology; or*

18 (V) *community living, including*
 19 *participation in recreation; and*

20 (ii) *the activities the State will under-*
 21 *take to achieve such goals, in accordance*
 22 *with the requirements of subsection (b).*

23 (B) *MEASURES OF GOAL ACHIEVEMENT.—A*

24 *description of how the State will measure wheth-*
 25 *er the goals set by the State have been achieved.*

1 (C) *INVOLVEMENT OF INDIVIDUALS WITH*
2 *DISABILITIES OF ALL AGES AND THEIR FAMI-*
3 *LIES.—A description of how individuals with*
4 *disabilities of all ages and their families—*

5 (i) *were involved in selecting—*

6 (I) *the goals;*

7 (II) *the activities to be undertaken*
8 *in achieving the goals; and*

9 (III) *the measures to be used in*
10 *judging if the goals have been achieved;*
11 *and*

12 (ii) *will be involved in measuring*
13 *whether the goals have been achieved.*

14 (8) *ANNUAL ASSESSMENT.—An assurance that*
15 *the State will conduct an annual assessment of the*
16 *comprehensive statewide program of technology-relat-*
17 *ed assistance, in order to determine—*

18 (A) *the extent to which the goals described*
19 *in paragraph (7) have been achieved; and*

20 (B) *the areas of need that require attention*
21 *in the next year.*

22 (9) *DATA COLLECTION.—A description of the*
23 *data collection system used for compiling information*
24 *on the program, which shall be consistent with any*

1 *standardized data collection requirements specified by*
2 *the Secretary.*

3 (10) *USE OF GRANT FUNDS.—An assurance that*
4 *funds received through the grant will be expended in*
5 *accordance with the provisions of this section and of*
6 *the State technology plan.*

7 (11) *SUPPLEMENT OTHER FUNDS.—An assur-*
8 *ance that funds received through the grant—*

9 (A) *will be used to supplement, and not*
10 *supplant, funds available from other sources for*
11 *technology-related assistance, including the pro-*
12 *vision of assistive technology devices and assist-*
13 *ive technology services; and*

14 (B) *will not be used to pay a financial obli-*
15 *gation for technology-related assistance (includ-*
16 *ing the provision of assistive technology devices*
17 *or assistive technology services) that would have*
18 *been paid with amounts available from other*
19 *sources if funds made available through the*
20 *grant had not been available.*

21 (12) *CONTROL OF FUNDS AND PROPERTY.—An*
22 *assurance that—*

23 (A) *the designated public agency shall con-*
24 *trol and administer funds made available*
25 *through the grant;*

1 (B) the designated public agency shall hold
2 title to and administer property purchased with
3 such funds; and

4 (C) an individual with a disability may
5 control and use such property.

6 (13) *REPORTS.*—An assurance that the State
7 will—

8 (A) prepare reports to the Secretary at such
9 time, in such manner, and containing such in-
10 formation as the Secretary may require to carry
11 out the functions of the Secretary under this sec-
12 tion or section 105; and

13 (B) keep such records and allow access to
14 such records as the Secretary may require to en-
15 sure the correctness and verification of informa-
16 tion provided to the Secretary under this para-
17 graph.

18 (14) *COMMINGLING OF FUNDS.*—

19 (A) *IN GENERAL.*—An assurance that funds
20 received through the grant will not be commin-
21 gled with State or other funds.

22 (B) *CONSTRUCTION.*—Subparagraph (A)
23 shall not be construed to prevent, subject to such
24 requirements as the Secretary may establish con-
25 cerning documentation satisfactory to the Sec-

1 *retary, pooling of funds received through the*
2 *grant with other public or private funds to*
3 *achieve a goal specified in the grant application*
4 *involved, as approved by the Secretary.*

5 (15) *FISCAL CONTROL AND ACCOUNTING PROCE-*
6 *DURES.—An assurance that the State will adopt such*
7 *fiscal control and accounting procedures as may be*
8 *necessary to ensure proper disbursement of and ac-*
9 *counting for funds received through the grant.*

10 (16) *AVAILABILITY OF INFORMATION.—An assur-*
11 *ance that the State will make available to individuals*
12 *with disabilities and their family members, guard-*
13 *ians, advocates, or authorized representatives infor-*
14 *mation concerning technology-related assistance in a*
15 *form that will allow such persons to effectively use*
16 *such information.*

17 (17) *AUTHORITY TO USE FUNDS.—An assurance*
18 *that the State Assistive Technology Office will have*
19 *the authority to use funds made available through a*
20 *grant awarded under this section.*

21 (18) *TRAINING ACTIVITIES.—An assurance that*
22 *the State will develop and implement strategies for*
23 *including personnel training regarding assistive tech-*
24 *nology within other federally funded and State funded*

1 *training initiatives to enhance the assistive tech-*
2 *nology skills and competencies of personnel.*

3 (19) *LIMIT ON INDIRECT COSTS.—An assurance*
4 *that the percentage of the funds made available under*
5 *the grant that is used for indirect costs shall not ex-*
6 *ceed 10 percent.*

7 (20) *COORDINATION WITH STATE COUNCILS.—An*
8 *assurance that the State Assistive Technology Office*
9 *will coordinate the activities funded through the grant*
10 *made under this section with the activities carried out*
11 *by other councils within the State, including—*

12 (A) *any council or commission specified in*
13 *the State plan provision provided by the State in*
14 *accordance with section 101(a)(21) of the Reha-*
15 *ilitation Act of 1973;*

16 (B) *the Statewide Independent Living*
17 *Council established under section 705 of the Re-*
18 *habilitation Act of 1973;*

19 (C) *the advisory panel established under*
20 *section 612(a)(21) of the Individuals with Dis-*
21 *abilities Education Act (20 U.S.C. 1412(a)(21));*

22 (D) *the State Interagency Coordinating*
23 *Council established under section 641 of the In-*
24 *dividuals with Disabilities Education Act (20*
25 *U.S.C. 1441);*

1 (E) *the State Developmental Disabilities*
 2 *Council established under section 124 of the De-*
 3 *velopmental Disabilities Assistance and Bill of*
 4 *Rights Act (42 U.S.C. 6024);*

5 (F) *the State mental health planning coun-*
 6 *cil established under section 1914 of the Public*
 7 *Health Service Act (42 U.S.C. 300x-4); and*

8 (G) *any council established under section*
 9 *204, 206(g)(2)(A), or 712(a)(3)(H) of the Older*
 10 *Americans Act of 1965 (42 U.S.C. 3015,*
 11 *3017(g)(2)(A), or 3058g(a)(3)(H)).*

12 (21) *OTHER INFORMATION AND ASSURANCES.—*
 13 *Such other information and assurances as the Sec-*
 14 *retary may reasonably require.*

15 (e) *PROGRESS REPORTS.—Each State that receives a*
 16 *grant under this section shall annually prepare and submit*
 17 *to the Secretary a report that documents progress in meet-*
 18 *ing the goals described in subsection (d)(7) and maintain-*
 19 *ing a comprehensive statewide program of technology-relat-*
 20 *ed assistance, including—*

21 (1) *the results of the annual assessment described*
 22 *in subsection (d)(8);*

23 (2) *to the extent not addressed through the meas-*
 24 *urement and assessment conducted under paragraph*
 25 *(7) or (8) of subsection (d), a description of the ca-*

1 *capacity building and advocacy activities carried out*
2 *by the State, including a description of any written*
3 *policies and procedures that the State has developed*
4 *and implemented regarding access to, provision of,*
5 *and funding for, assistive technology devices and as-*
6 *sistive technology services, particularly policies and*
7 *procedures regarding access to, provision of, and*
8 *funding for, such devices and services under education*
9 *(including special education), vocational rehabilita-*
10 *tion, and medical assistance programs;*

11 *(3) if not addressed under paragraph (1) or (2),*
12 *a description of the degree of involvement of various*
13 *State agencies and private entities, especially agencies*
14 *and entities involved in providing health insurance*
15 *and education, in the development, implementation,*
16 *and evaluation of the program, including a descrip-*
17 *tion of any interagency agreements that the State has*
18 *developed and implemented regarding access to, pro-*
19 *vision of, and funding for, assistive technology devices*
20 *and assistive technology services, such as agreements*
21 *that identify available resources for assistive tech-*
22 *nology devices and assistive technology services and*
23 *the responsibility of each such agency or entity for*
24 *paying for such devices and services; and*

1 (4) *any other information the Secretary may*
2 *reasonably require.*

3 **SEC. 103. SUPPLEMENTARY MILLENNIUM GRANTS TO**
4 **STATES FOR STATE AND LOCAL CAPACITY**
5 **BUILDING.**

6 (a) *GRANTS TO STATES.*—

7 (1) *IN GENERAL.*—*The Secretary shall award*
8 *supplementary grants, on a competitive basis—*

9 (A) *to States, to carry out 1 or more of the*
10 *targeted activities described in subsection (b) to*
11 *expand the capacity of the States to address the*
12 *unmet assistive technology needs of individuals*
13 *with disabilities; or*

14 (B) *to States, to provide funds to local enti-*
15 *ties on a competitive basis, through subgrants or*
16 *any other mechanism, to enable each such local*
17 *entity to carry out 1 of the targeted activities de-*
18 *scribed in subsection (c) to expand the capacity*
19 *of the local entities to address the unmet needs*
20 *of individuals with disabilities for assistive tech-*
21 *nology and assistive technology services, espe-*
22 *cially the unmet needs of underrepresented popu-*
23 *lations.*

24 (2) *PERIOD.*—*The Secretary shall award the*
25 *grants for periods of not more than 5 years.*

1 (3) *ELIGIBLE STATES.*—*To be eligible to receive*
2 *a grant under this section, a State shall have received*
3 *a grant under section 102.*

4 (b) *STATEWIDE CAPACITY BUILDING ACTIVITIES.*—
5 *The State may use funds made available through a grant*
6 *described in subsection (a)(1)(A) to carry out 1 or more*
7 *of the following activities:*

8 (1) *Obtaining, under State law or through other*
9 *equivalent means, the compliance of all public agen-*
10 *cies in the State with section 508 of the Rehabilita-*
11 *tion Act of 1973, which shall include establishing a*
12 *mechanism for informing individuals with disabil-*
13 *ities of their rights with regard to such section 508,*
14 *addressing their complaints, and establishing a lead*
15 *agency to monitor and enforce compliance with such*
16 *section 508.*

17 (2) *Developing and implementing, documenting,*
18 *and reviewing a plan for enhancing the participation*
19 *of all individuals with disabilities in the State, in*
20 *education, employment, transportation, and commu-*
21 *nication, and enhancing general access of the individ-*
22 *uals, in ways that complement and exceed the re-*
23 *quirements for public and private entities under the*
24 *Americans with Disabilities Act of 1990 (42 U.S.C.*
25 *12101 et seq.), through—*

1 (A) *incorporating concepts of universal de-*
2 *sign in physical structures, products, and serv-*
3 *ices; or*

4 (B) *providing fiscal-related incentives to*
5 *public and private telecommunication ventures.*

6 (3) *Developing and implementing activities for*
7 *incorporating the principles of universal design in the*
8 *construction and renovation of facilities, information*
9 *technology and telecommunications, and other prod-*
10 *ucts and services such as transportation.*

11 (4) *Planning and adopting State personnel*
12 *standards or professional certification procedures that*
13 *apply to individuals who, or entities that, provide as-*
14 *istive technology services.*

15 (5) *Conducting evaluations of assistive tech-*
16 *nology devices and assistive technology services, in-*
17 *cluding computer software, for the purpose of evaluat-*
18 *ing and documenting the effectiveness, benefits, and*
19 *compatibility of the devices or services with other*
20 *technologies, for individuals with disabilities.*

21 (6) *Engaging in another activity, pursuant to a*
22 *priority mechanism announced by the Secretary, that*
23 *will have a statewide impact and address the unmet*
24 *assistive technology needs of individuals with disabil-*
25 *ities.*

1 (c) *LOCAL CAPACITY BUILDING ACTIVITIES.*—The
2 State may use funds made available through a grant de-
3 scribed in subsection (a)(1)(B) to provide funds to local en-
4 tities that submit acceptable plans, to enable each such local
5 entity to carry out 1 of the following activities:

6 (1) *Developing and implementing micro-loan*
7 *and alternative financing programs.*

8 (2) *Planning and carrying out equipment dem-*
9 *onstrations in community settings frequented by the*
10 *public.*

11 (3) *Developing and implementing an equipment*
12 *loan program involving long-term and short-term*
13 *loans.*

14 (4) *Developing and implementing an equipment*
15 *recycling program.*

16 (5) *Developing and implementing outreach ac-*
17 *tivities and training, especially empowerment train-*
18 *ing, for individuals with disabilities, teachers and*
19 *parents of individuals with disabilities, and under-*
20 *served populations.*

21 (6) *Carrying out other initiatives, including*
22 *model innovative initiatives, that meet an unmet*
23 *local need related to assistive technology.*

24 (d) *AMOUNTS OF SUPPLEMENTARY GRANTS.*—

1 (1) *PAYMENTS TO STATES.*—*The Secretary shall*
 2 *make payments to States and to outlying areas that*
 3 *successfully compete for supplementary grants award-*
 4 *ed under this section, in accordance with the require-*
 5 *ments of this section.*

6 (2) *OBLIGATION AND EXPENDITURE.*—*A State*
 7 *that receives a grant under this section may obligate*
 8 *and expend the funds made available through the*
 9 *grant during the period of the grant.*

10 (3) *MATCHING REQUIREMENT.*—*A State that re-*
 11 *ceives a grant under this section in an amount that*
 12 *exceeds \$250,000 shall make available non-Federal*
 13 *contributions in an amount not less than \$1 for every*
 14 *\$2 of the amount that exceeds \$250,000.*

15 (e) *APPLICATIONS.*—*Any State that desires to receive*
 16 *a grant under this section shall submit to the Secretary an*
 17 *application, at such time, and in such manner, as the Sec-*
 18 *retary may require, that contains the following information*
 19 *and assurances:*

20 (1) *PARTNERS.*—

21 (A) *STATE ASSISTIVE TECHNOLOGY OF-*
 22 *FICE.*—*An assurance that the State Assistive*
 23 *Technology Office designated under section*
 24 *102(d)(1)(A) participated in the development of*
 25 *the application and will participate in the im-*

1 *plementation of the activities to be carried out*
2 *under the grant, even if the State Assistive Tech-*
3 *nology Office is not the grant applicant under*
4 *this section.*

5 *(B) PARTNERS.—A description of the part-*
6 *ners of the State involved in carrying out state-*
7 *wide activities under the grant, including—*

8 *(i) the identity of each partner;*

9 *(ii) the role of each partner in the de-*
10 *velopment of the application;*

11 *(iii) the capacity of each partner to*
12 *contribute to the grant activities; and*

13 *(iv) the contribution of each partner to*
14 *the grant activities.*

15 *(2) TARGETED INDIVIDUALS.—A description of*
16 *how targeted individuals, especially individuals with*
17 *disabilities who use assistive technology, were involved*
18 *in the development of the application and will be in-*
19 *cluded in the implementation of the activities to be*
20 *carried out under the grant.*

21 *(3) DATA.—Data that affected the selection of the*
22 *activities to be carried out under the grant.*

23 *(4) RESOURCES.—A description of State re-*
24 *sources and other resources that have been committed*
25 *to carry out the activities.*

1 (5) *GOALS AND ACTIVITIES.*—

2 (A) *IN GENERAL.*—*A description of—*

3 (i) *the goals the State has set for the*
4 *supplementary grant; and*

5 (ii) *the activities the State will under-*
6 *take to achieve such goals, in accordance*
7 *with the requirements of subsections (b) and*
8 *(c).*

9 (B) *MEASURES OF GOAL ACHIEVEMENT.*—*A*
10 *description of how the State will measure wheth-*
11 *er the goals set by the State have been achieved.*

12 (C) *INVOLVEMENT OF INDIVIDUALS WITH*
13 *DISABILITIES OF ALL AGES AND THEIR FAMI-*
14 *LIES.*—*A description of how individuals with*
15 *disabilities of all ages and their families—*

16 (i) *were involved in selecting—*

17 (I) *the goals;*

18 (II) *the activities to be undertaken*
19 *in achieving the goals; and*

20 (III) *the measures to be used in*
21 *judging if the goals have been achieved;*

22 *and*

23 (ii) *will be involved in measuring*
24 *whether the goals have been achieved.*

1 (6) *ANNUAL ASSESSMENT.*—*An assurance that*
2 *the State will conduct an annual assessment of the*
3 *activities carried out under the grant, in order to de-*
4 *termine—*

5 (A) *the extent to which the goals described*
6 *in paragraph (5) have been achieved; and*

7 (B) *the areas of need that require attention*
8 *in the next year.*

9 (7) *USE OF FUNDS.*—*An assurance that funds*
10 *received through the grant will be expended in accord-*
11 *ance with the provisions of this section and of the ap-*
12 *plication.*

13 (8) *SUPPLEMENT OTHER FUNDS.*—*An assurance*
14 *that funds received through the grant will be used to*
15 *supplement, and not supplant, funds available from*
16 *other sources for any activity carried out under the*
17 *grant.*

18 (9) *REPORTS.*—*An assurance that the State will,*
19 *or will ensure that a recipient of assistance through*
20 *the grant will—*

21 (A) *prepare reports to the Secretary at such*
22 *time, in such manner, and containing such in-*
23 *formation as the Secretary may require to carry*
24 *out the functions of the Secretary under this sec-*
25 *tion or section 105; and*

1 (B) *keep such records and allow access to*
2 *such records as the Secretary may require to en-*
3 *sure the correctness and verification of informa-*
4 *tion provided to the Secretary under this para-*
5 *graph.*

6 (10) *COMMINGLING OF FUNDS.—*

7 (A) *IN GENERAL.—An assurance that funds*
8 *received through the grant will not be commin-*
9 *gled with State or other funds.*

10 (B) *CONSTRUCTION.—Subparagraph (A)*
11 *shall not be construed to prevent, subject to such*
12 *requirements as the Secretary may establish con-*
13 *cerning documentation satisfactory to the Sec-*
14 *retary, pooling of funds received through the*
15 *grant with other public or private funds to*
16 *achieve a goal specified in the grant application*
17 *involved, as approved by the Secretary.*

18 (11) *FISCAL CONTROL AND ACCOUNTING PROCE-*
19 *DURES.—An assurance that the State will adopt, and*
20 *will ensure that a recipient of assistance through the*
21 *grant will adopt, such fiscal control and accounting*
22 *procedures as may be necessary to ensure proper dis-*
23 *bursement of and accounting for funds received*
24 *through the grant.*

1 (12) *AUTHORITY TO USE FUNDS.*—*An assurance*
2 *that, the partners described in paragraph (1)(B) will*
3 *have the authority to use funds made available*
4 *through a grant awarded under this section.*

5 (13) *LIMIT ON INDIRECT COSTS.*—*An assurance*
6 *that the percentage of the funds made available under*
7 *the grant that is used for indirect costs shall not ex-*
8 *ceed 10 percent.*

9 (14) *OTHER INFORMATION AND ASSURANCES.*—
10 *Such other information and assurances as the Sec-*
11 *retary may reasonably require.*

12 (f) *SUBMISSION.*—

13 (1) *JOINT SUBMISSION.*—*When a State submits*
14 *the State technology plan for the State under section*
15 *102(d), the State may jointly submit an application*
16 *described in subsection (e) for funding activities*
17 *under this section.*

18 (2) *SEPARATE INFORMATION.*—*In making such a*
19 *joint submission the State shall distinguish between*
20 *activities to be carried out under a grant awarded*
21 *under section 102 and activities to be carried out*
22 *under a grant awarded under this section, and in-*
23 *clude a budget that separately reflects proposed ex-*
24 *penditures for the 2 types of grant activities for each*
25 *fiscal year involved.*

1 (g) *PROGRESS REPORTS.*—Each State that receives a
2 grant under this section, and any other entity that receives
3 assistance through a grant awarded under this section, shall
4 annually prepare and submit to the Secretary a report that
5 documents the progress of the State or entity in meeting
6 the goals described in subsection (e)(5), and any other infor-
7 mation the Secretary may reasonably require.

8 **SEC. 104. STATE GRANTS FOR PROTECTION AND ADVOCACY**
9 **RELATED TO ASSISTIVE TECHNOLOGY.**

10 (a) *GRANTS TO STATES.*—

11 (1) *IN GENERAL.*—On the appropriation of funds
12 under section 107, the Secretary shall make a grant
13 to an entity in each State to support protection and
14 advocacy services through the systems established to
15 provide protection and advocacy services under the
16 *Developmental Disabilities Assistance and Bill of*
17 *Rights Act (42 U.S.C. 6000 et seq.)* for the purposes
18 of assisting in the acquisition, utilization, or mainte-
19 nance of assistive technology or assistive technology
20 services for individuals with disabilities.

21 (2) *CERTAIN STATES.*—Notwithstanding para-
22 graph (1), for a State that, on the day before the date
23 of enactment of this Act, was described in section
24 102(f)(1) of the *Technology-Related Assistance for In-*
25 *dividuals With Disabilities Act of 1988*, the Secretary

1 shall make the grant to the lead agency designated
2 under section 101(d) or the State Assistive Technology
3 Office designated under section 102(d)(1)(A) in that
4 State, whichever is appropriate. The lead agency or
5 office shall determine how the funds made available
6 under this section shall be divided among the entities
7 that were providing protection and advocacy services
8 in that State on that day, and distribute the funds
9 to the entities. In distributing the funds, the lead
10 agency or office shall not establish any further eligi-
11 bility or procedural requirements for an entity in
12 that State that supports protection and advocacy
13 services through the systems established to provide
14 protection and advocacy services under the Develop-
15 mental Disabilities Assistance and Bill of Rights Act
16 (42 U.S.C. 6000 et seq.). Such an entity shall comply
17 with the same requirements (including reporting and
18 enforcement requirements) as any other entity that re-
19 ceives funding under paragraph (1).

20 (3) PERIODS.—The Secretary shall provide as-
21 sistance through such a grant to a State for 6 years.

22 (b) AMOUNT OF FINANCIAL ASSISTANCE.—

23 (1) GRANTS TO OUTLYING AREAS.—From the
24 funds appropriated under section 107(a) and reserved
25 under clause (ii) of subparagraph (A), (B), or (C) of

1 *section 107(b)(1) for any fiscal year, the Secretary*
2 *shall make a grant in an amount of not more than*
3 *\$30,000 to each eligible system within an outlying*
4 *area.*

5 (2) *GRANTS TO STATES.—For any fiscal year,*
6 *after reserving funds to make grants under paragraph*
7 *(1), the Secretary shall make allotments from the re-*
8 *mainder of the funds described in paragraph (1) in*
9 *accordance with paragraph (3) to eligible systems*
10 *within States to support protection and advocacy*
11 *services as described in subsection (a). The Secretary*
12 *shall make grants to the eligible systems from the al-*
13 *lotments.*

14 (3) *SYSTEMS WITHIN STATES.—*

15 (A) *POPULATION BASIS.—Except as pro-*
16 *vided in subparagraph (B), from such remainder*
17 *for each fiscal year, the Secretary shall make an*
18 *allotment to the eligible system within a State of*
19 *an amount bearing the same ratio to such re-*
20 *mainder as the population of the State bears to*
21 *the population of all States.*

22 (B) *MINIMUMS.—Subject to the availability*
23 *of appropriations to carry out this section, the*
24 *allotment to any system under subparagraph (A)*
25 *shall be not less than \$50,000, and the allotment*

1 to any system under this paragraph for any fis-
2 cal year that is less than \$50,000 shall be in-
3 creased to \$50,000.

4 (4) *ADJUSTMENT FOR INFLATION.*—For any fis-
5 cal year, beginning in fiscal year 2000, in which the
6 total amount appropriated and reserved as described
7 in paragraph (1) exceeds the total amount so appro-
8 priated and reserved for the preceding fiscal year, the
9 Secretary shall increase each of the minimum allot-
10 ments under paragraph (3)(B) by a percentage that
11 shall not exceed the percentage increase in the total
12 amount so appropriated and reserved between the pre-
13 ceding fiscal year and the fiscal year involved.

14 (5) *PROPORTIONAL REDUCTION.*—To provide
15 minimum allotments to systems within States (as in-
16 creased under paragraph (4)) under paragraph
17 (3)(B), the Secretary shall proportionately reduce the
18 allotments of the remaining systems within States
19 under paragraph (3), with such adjustments as may
20 be necessary to prevent the allotment of any such re-
21 maining system within a State from being reduced to
22 less than the minimum allotment for a system within
23 a State (as increased under paragraph (4)) under
24 paragraph (3)(B).

1 (6) *REALLOTMENT.*—Whenever the Secretary de-
2 termines that any amount of an allotment under
3 paragraph (3) to a system within a State for any fis-
4 cal year will not be expended by such system in car-
5 rying out the provisions of this section, the Secretary
6 shall make such amount available for carrying out the
7 provisions of this section to 1 or more of the systems
8 that the Secretary determines will be able to use addi-
9 tional amounts during such year for carrying out
10 such provisions. Any amount made available to a sys-
11 tem for any fiscal year pursuant to the preceding sen-
12 tence shall, for the purposes of this section, be re-
13 garded as an increase in the allotment of the system
14 (as determined under the preceding provisions of this
15 section) for such year.

16 (c) *REPORT TO SECRETARY.*—An entity that receives
17 a grant under this section shall annually prepare and sub-
18 mit to the Secretary a report that contains such informa-
19 tion as the Secretary may require, including documentation
20 of the progress of the entity in—

21 (1) *conducting consumer-responsive activities,*
22 *including activities that will lead to increased access,*
23 *for individuals with disabilities, to funding for assist-*
24 *ive technology devices and assistive technology serv-*
25 *ices;*

1 (2) *engaging in informal advocacy to assist in*
2 *securing assistive technology and assistive technology*
3 *services for individuals with disabilities;*

4 (3) *engaging in formal representation for indi-*
5 *viduals with disabilities to secure systems change, and*
6 *in advocacy activities to secure assistive technology*
7 *and assistive technology services for individuals with*
8 *disabilities;*

9 (4) *developing and implementing strategies to*
10 *enhance the long-term abilities of individuals with*
11 *disabilities and their family members, guardians, ad-*
12 *vocates, and authorized representatives to advocate the*
13 *provision of assistive technology devices and assistive*
14 *technology services to which the individuals with dis-*
15 *abilities are entitled under law other than this Act;*
16 *and*

17 (5) *coordinating activities with protection and*
18 *advocacy services funded through sources other than*
19 *this title, and coordinating activities with the capac-*
20 *ity building and advocacy activities carried out by*
21 *the lead agency or State Assistive Technology Office,*
22 *as appropriate.*

23 (d) *REPORTS AND UPDATES TO STATE AGENCIES.—*
24 *An entity that receives a grant under this section shall pre-*
25 *pare and submit to the State Assistive Technology Office*

1 *the report described in subsection (c) and quarterly updates*
2 *concerning the activities described in subsection (c).*

3 (e) *COORDINATION.*—*On making a grant under this*
4 *section to an entity in a State, the Secretary shall solicit*
5 *and consider the opinions of the lead agency of the State*
6 *designated under section 101(d), or the State Assistive Tech-*
7 *nology Office, whichever is appropriate, with respect to ef-*
8 *forts at coordination, collaboration, and promoting out-*
9 *comes between the lead agency or the State Assistive Tech-*
10 *nology Office, as appropriate, and the entity that receives*
11 *the grant under this section.*

12 **SEC. 105. ADMINISTRATIVE PROVISIONS.**

13 (a) *REVIEW OF PARTICIPATING ENTITIES.*—

14 (1) *IN GENERAL.*—*The Secretary shall assess the*
15 *extent to which entities that receive grants pursuant*
16 *to this title are complying with the applicable re-*
17 *quirements of this title and achieving the goals that*
18 *are consistent with the requirements of the grant pro-*
19 *grams under which the entities applied for the grants.*

20 (2) *ONSITE VISITS OF STATES RECEIVING CER-*
21 *TAIN GRANTS.*—

22 (A) *IN GENERAL.*—*The Secretary shall con-*
23 *duct an onsite visit—*

24 (i) *for each State that receives a grant*
25 *under section 101 and that would have been*

1 *in the third or fourth year of a second ex-*
2 *ension grant under the Technology-Related*
3 *Assistance for Individuals With Disabilities*
4 *Act of 1988 if that Act had been reauthor-*
5 *ized for that fiscal year, prior to the end*
6 *of that year; and*

7 *(ii) for each State that receives a grant*
8 *under section 102, prior to the end of the*
9 *fourth year of that grant.*

10 (B) *UNNECESSARY VISITS.—The Secretary*
11 *shall not be required to conduct a visit of a State*
12 *described in clause (i) or (ii) of subparagraph*
13 *(A) if the Secretary determines that the visit is*
14 *not necessary to assess whether the State is mak-*
15 *ing significant progress toward development and*
16 *implementation of a comprehensive statewide*
17 *program of technology-related assistance.*

18 (3) *ADVANCE PUBLIC NOTICE.—The Secretary*
19 *shall provide advance public notice of an onsite visit*
20 *conducted under paragraph (2) and solicit public*
21 *comment through such notice from targeted individ-*
22 *uals, regarding State goals and related activities to*
23 *achieve such goals funded through a grant made*
24 *under section 101 or 102, as appropriate.*

1 (4) *MINIMUM REQUIREMENTS.*—*At a minimum,*
2 *the visit shall allow the Secretary to determine the ex-*
3 *tent to which the State is making progress in meeting*
4 *State goals and maintaining a comprehensive state-*
5 *wide program of technology-related assistance consist-*
6 *ent with the purposes described in section 2(b)(1).*

7 (5) *PROVISION OF INFORMATION.*—*To assist the*
8 *Secretary in carrying out the responsibilities of the*
9 *Secretary under this section, the Secretary may re-*
10 *quire States to provide relevant information.*

11 (b) *CORRECTIVE ACTION AND SANCTIONS.*—

12 (1) *CORRECTIVE ACTION.*—*If the Secretary deter-*
13 *mines that an entity fails to substantially comply*
14 *with the requirements of this title with respect to a*
15 *grant program, the Secretary shall assist the entity*
16 *through a technical assistance center funded under*
17 *section 106 or other means, within 90 days after such*
18 *determination, to develop a corrective action plan.*

19 (2) *SANCTIONS.*—*An entity that fails to develop*
20 *and comply with a corrective action plan as described*
21 *in paragraph (1) during a fiscal year shall be subject*
22 *to 1 of the following corrective actions selected by the*
23 *Secretary:*

24 (A) *Partial or complete fund termination*
25 *under the grant program.*

1 (B) *Ineligibility to participate in the grant*
2 *program in the following year.*

3 (C) *Reduction in funding for the following*
4 *year under the grant program.*

5 (D) *Required redesignation of the lead*
6 *agency designated under section 101(d) or an en-*
7 *tity responsible for administering the grant pro-*
8 *gram.*

9 (3) *APPEALS PROCEDURES.—The Secretary shall*
10 *establish appeals procedures for entities that are*
11 *found to be in noncompliance with the requirements*
12 *of this title.*

13 (c) *ANNUAL REPORT.—*

14 (1) *IN GENERAL.—Not later than December 31 of*
15 *each year, the Secretary shall prepare, and submit to*
16 *the President and to Congress, a report on the activi-*
17 *ties funded under this Act, to improve the access of*
18 *individuals with disabilities to assistive technology*
19 *devices and assistive technology services.*

20 (2) *CONTENTS.—Such report shall include infor-*
21 *mation on—*

22 (A) *the demonstrated successes of the funded*
23 *activities in improving interagency coordination*
24 *relating to assistive technology, streamlining ac-*
25 *cess to funding for assistive technology, and pro-*

1 *ducing beneficial outcomes for users of assistive*
2 *technology;*

3 *(B) the demonstration activities carried out*
4 *through the funded activities to—*

5 *(i) promote access to such funding in*
6 *public programs that were in existence on*
7 *the date of the initiation of the demonstra-*
8 *tion activities; and*

9 *(ii) establish additional options for ob-*
10 *taining such funding;*

11 *(C) the education and training activities*
12 *carried out through the funded activities to edu-*
13 *cate and train targeted individuals about assist-*
14 *ive technology, including increasing awareness of*
15 *funding through public programs for assistive*
16 *technology;*

17 *(D) the research activities carried out*
18 *through the funded activities to improve under-*
19 *standing of the costs and benefits of access to as-*
20 *istive technology for individuals with disabil-*
21 *ities who represent a variety of ages and types*
22 *of disabilities;*

23 *(E) the program outreach activities to rural*
24 *and inner-city areas that are carried out*
25 *through the funded activities;*

1 (F) the activities carried out through the
2 funded activities that are targeted to reach
3 underrepresented populations and rural popu-
4 lations; and

5 (G) the consumer involvement activities car-
6 ried out through the funded activities.

7 (3) *AVAILABILITY OF ASSISTIVE TECHNOLOGY*
8 *DEVICES AND ASSISTIVE TECHNOLOGY SERVICES.*—As
9 soon as practicable, the Secretary shall include in the
10 annual report required by this subsection information
11 on the availability of assistive technology devices and
12 assistive technology services. If the Secretary develops
13 an assistive technology taxonomy under section 216,
14 after the date of the development the Secretary shall
15 present such information in the report in a manner
16 consistent with such taxonomy.

17 (d) *EFFECT ON OTHER ASSISTANCE.*—This title may
18 not be construed as authorizing a Federal or a State agency
19 to reduce medical or other assistance available, or to alter
20 eligibility for a benefit or service, under any other Federal
21 law.

22 **SEC. 106. TECHNICAL ASSISTANCE PROGRAM.**

23 (a) *IN GENERAL.*—Through grants, contracts, or coop-
24 erative agreements, awarded on a competitive basis, the
25 Secretary is authorized to fund a technical assistance pro-

1 gram to provide technical assistance to entities, principally
2 entities funded under any of sections 101 through 104.

3 (b) *INPUT.*—In designing the program to be funded
4 under this section, and in deciding the differences in func-
5 tion between national and regionally based technical assist-
6 ance efforts carried out through the program, the Secretary
7 shall consider the input of the directors of comprehensive
8 statewide programs of technology-related assistance and
9 other individuals the Secretary determines to be appro-
10 priate, especially—

11 (1) *individuals with disabilities who use assist-*
12 *ive technology and understand the barriers to the ac-*
13 *quisition of such technology and assistive technology*
14 *services;*

15 (2) *family members, guardians, advocates, and*
16 *authorized representatives of such individuals; and*

17 (3) *individuals employed by protection and ad-*
18 *vocacy systems funded under section 104.*

19 (c) *SCOPE OF TECHNICAL ASSISTANCE.*—

20 (1) *NATIONAL PUBLIC INTERNET SITE.*—

21 (A) *ESTABLISHMENT OF INTERNET SITE.*—

22 *The Secretary shall fund the establishment and*
23 *maintenance of a National Public Internet Site*
24 *for the purposes of providing to individuals with*
25 *disabilities and the general public technical as-*

1 *sistance and information on increased access to*
2 *assistive technology devices, assistive technology*
3 *services, and other disability-related resources.*

4 *(B) ELIGIBLE ENTITY.—To be eligible to re-*
5 *ceive a grant or enter into a contract or coopera-*
6 *tive agreement under subsection (a) to establish*
7 *and maintain the Internet site, an entity shall*
8 *be an institution of higher education that em-*
9 *phasizes research and engineering, has a multi-*
10 *disciplinary research center, and has dem-*
11 *onstrated expertise in—*

12 *(i) working with assistive technology*
13 *and intelligent agent interactive informa-*
14 *tion dissemination systems;*

15 *(ii) managing libraries of assistive*
16 *technology and disability-related resources;*

17 *(iii) delivering education, information,*
18 *and referral services to individuals with*
19 *disabilities, including technology-based cur-*
20 *riculum development services for adults*
21 *with low-level reading skills;*

22 *(iv) developing cooperative partner-*
23 *ships with the private sector, particularly*
24 *with private sector computer software, hard-*
25 *ware, and Internet services entities; and*

1 (v) *developing and designing advanced*
2 *Internet sites.*

3 (C) *FEATURES OF INTERNET SITE.—The*
4 *National Public Internet Site described in sub-*
5 *paragraph (A) shall contain the following fea-*
6 *tures:*

7 (i) *AVAILABILITY OF INFORMATION AT*
8 *ANY TIME.—The site shall be designed so*
9 *that any member of the public may obtain*
10 *information posted on the site at any time.*

11 (ii) *INNOVATIVE AUTOMATED INTEL-*
12 *LIGENT AGENT.—The site shall be con-*
13 *structed with an innovative automated in-*
14 *telligent agent that is a diagnostic tool for*
15 *assisting users in problem definition and*
16 *the selection of appropriate assistive tech-*
17 *nology devices and assistive technology serv-*
18 *ices resources.*

19 (iii) *RESOURCES.—*

20 (I) *LIBRARY ON ASSISTIVE TECH-*
21 *NOLOGY.—The site shall include access*
22 *to a comprehensive working library on*
23 *assistive technology for all environ-*
24 *ments, including home, workplace,*

1 *transportation, and other environ-*
2 *ments.*

3 (II) *RESOURCES FOR A NUMBER*
4 *OF DISABILITIES.*—*The site shall in-*
5 *clude resources relating to the largest*
6 *possible number of disabilities, includ-*
7 *ing resources relating to low-level read-*
8 *ing skills.*

9 (iv) *LINKS TO PRIVATE SECTOR RE-*
10 *SOURCES AND INFORMATION.*—*To the extent*
11 *feasible, the site shall be linked to relevant*
12 *private sector resources and information,*
13 *under agreements developed between the in-*
14 *stitution of higher education and cooperat-*
15 *ing private sector entities.*

16 (D) *MINIMUM LIBRARY COMPONENTS.*—*At a*
17 *minimum, the Internet site shall maintain up-*
18 *dated information on—*

19 (i) *how to plan, develop, implement,*
20 *and evaluate activities to further extend*
21 *comprehensive statewide programs of tech-*
22 *nology-related assistance, including the de-*
23 *velopment and replication of effective ap-*
24 *proaches to—*

- 1 (I) providing information and re-
2 ferral services;
- 3 (II) promoting interagency co-
4 ordination of training and service de-
5 livery among public and private enti-
6 ties;
- 7 (III) conducting outreach to
8 underrepresented populations and
9 rural populations;
- 10 (IV) mounting successful public
11 awareness activities;
- 12 (V) improving capacity building
13 in service delivery;
- 14 (VI) training personnel from a
15 variety of disciplines; and
- 16 (VII) improving evaluation strate-
17 gies, research, and data collection;
- 18 (ii) effective approaches to the develop-
19 ment of consumer-controlled systems that
20 increase access to, funding for, and aware-
21 ness of, assistive technology devices and as-
22 sistive technology services;
- 23 (iii) successful approaches to increas-
24 ing the availability of public and private
25 funding for and access to the provision of

1 *assistive technology devices and assistive*
2 *technology services by appropriate State*
3 *agencies; and*

4 *(iv) demonstration sites where individ-*
5 *uals may try out assistive technology.*

6 (2) *TECHNICAL ASSISTANCE EFFORTS.*—*In car-*
7 *rying out the technical assistance program, taking*
8 *into account the input required under subsection (b),*
9 *the Secretary shall ensure that entities—*

10 (A) *address State-specific information re-*
11 *quests concerning assistive technology from other*
12 *entities funded under this title and public enti-*
13 *ties not funded under this title, including—*

14 (i) *requests for state-of-the-art, or*
15 *model, Federal, State, and local laws, regu-*
16 *lations, policies, practices, procedures, and*
17 *organizational structures, that facilitate,*
18 *and overcome barriers to, funding for, and*
19 *access to, assistive technology devices and*
20 *assistive technology services;*

21 (ii) *requests for examples of policies,*
22 *practices, procedures, regulations, adminis-*
23 *trative hearing decisions, or legal actions,*
24 *that have enhanced or may enhance access*
25 *to funding for assistive technology devices*

1 *and assistive technology services for individ-*
2 *uals with disabilities;*

3 *(iii) requests for information on effec-*
4 *tive approaches to Federal-State coordina-*
5 *tion of programs for individuals with dis-*
6 *abilities, related to improving funding for*
7 *or access to assistive technology devices and*
8 *assistive technology services for individuals*
9 *with disabilities of all ages;*

10 *(iv) requests for information on effec-*
11 *tive approaches to the development of con-*
12 *sumer-controlled systems that increase ac-*
13 *cess to, funding for, and awareness of, as-*
14 *assistive technology devices and assistive tech-*
15 *nology services, including information on*
16 *the identification and description of mecha-*
17 *nisms and means that successfully support*
18 *self-help and peer mentoring groups for in-*
19 *dividuals with disabilities;*

20 *(v) other requests for technical assist-*
21 *ance from other entities funded under this*
22 *title and public entities not funded under*
23 *this title; and*

24 *(vi) other assignments specified by the*
25 *Secretary, including assisting entities de-*

1 scribed in section 105(b) to develop correc-
2 tive action plans; and

3 (B) assist targeted individuals by dissemi-
4 nating information about—

5 (i) Federal, State, and local laws, reg-
6 ulations, policies, practices, procedures, and
7 organizational structures, that facilitate,
8 and overcome barriers to, funding for, and
9 access to, assistive technology devices and
10 assistive technology services, to promote
11 fuller independence, productivity, and in-
12 clusion in society for individuals with dis-
13 abilities of all ages; and

14 (ii) technical assistance activities un-
15 dertaken under subparagraph (A).

16 (d) *ELIGIBLE ENTITIES.*—To be eligible to compete for
17 grants, contracts, and cooperative agreements under this
18 section, entities shall have documented experience with and
19 expertise in assistive technology service delivery or systems,
20 interagency coordination, and capacity building and advo-
21 cacy activities.

22 (e) *APPLICATION.*—To be eligible to receive a grant,
23 contract, or cooperative agreement under this section, an
24 entity shall submit an application to the Secretary at such

1 *time, in such manner, and containing such information as*
 2 *the Secretary may require.*

3 **SEC. 107. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) *IN GENERAL.*—*There are authorized to be appro-*
 5 *priated to carry out this title \$36,000,000 for fiscal year*
 6 *1999 and such sums as may be necessary for fiscal years*
 7 *2000 through 2004.*

8 (b) *RESERVATIONS OF FUNDS.*—

9 (1) *IN GENERAL.*—*Except as provided in para-*
 10 *graphs (2) through (4)—*

11 (A) *if the amount appropriated under sub-*
 12 *section (a) for a fiscal year is less than*
 13 *\$33,000,000—*

14 (i) *87.5 percent of the amount shall be*
 15 *reserved to fund grants under sections 101*
 16 *and 102;*

17 (ii) *7.9 percent shall be reserved to*
 18 *fund grants under section 104; and*

19 (iii) *4.6 percent shall be reserved for*
 20 *activities funded under section 106;*

21 (B) *if the amount appropriated under sub-*
 22 *section (a) for a fiscal year is not less than*
 23 *\$33,000,000 and is less than \$36,000,000—*

1 (i) 85 percent of the amount shall be
2 reserved to fund grants under sections 101
3 and 102;

4 (ii) 11 percent shall be reserved to fund
5 grants under section 104; and

6 (iii) 4 percent shall be reserved for ac-
7 tivities funded under section 106; and

8 (C) if the amount appropriated under sub-
9 section (a) for a fiscal year is not less than
10 \$36,000,000—

11 (i) 80 percent of the amount shall be
12 reserved to fund grants under sections 101,
13 102, and (to the extent provided in para-
14 graph (2)) 103;

15 (ii) 15 percent shall be reserved to fund
16 grants under section 104; and

17 (iii) 5 percent shall be reserved for ac-
18 tivities funded under section 106.

19 (2) *CONDITION APPLICABLE TO SUPPLEMENTARY*
20 *GRANTS.*—Beginning in fiscal year 2000, if the
21 amount appropriated under subsection (a) for a fiscal
22 year is not less than \$40,000,000, the Secretary may
23 reserve not more than 5 percent of the amount to fund
24 grants under section 103.

1 (3) *RESERVATION FOR CONTINUATION OF TECH-*
 2 *NICAL ASSISTANCE INITIATIVES.*—*For fiscal year*
 3 *1999, the Secretary may use funds reserved under*
 4 *clause (iii) of subparagraph (A), (B), or (C) of para-*
 5 *graph (1) to continue funding technical assistance*
 6 *initiatives that were funded in fiscal year 1998 under*
 7 *the Technology-Related Assistance for Individuals*
 8 *With Disabilities Act of 1988.*

9 (4) *RESERVATION FOR ONSITE VISITS.*—*The Sec-*
 10 *retary may reserve, from the amount appropriated*
 11 *under subsection (a) for any fiscal year, such sums as*
 12 *the Secretary considers to be necessary for the pur-*
 13 *poses of conducting onsite visits as required by section*
 14 *105(a)(2).*

15 **TITLE II—NATIONAL ACTIVITIES**
 16 **Subtitle A—Rehabilitation Act of**
 17 **1973**

18 **SEC. 201. COORDINATION OF FEDERAL RESEARCH EF-**
 19 **FORTS.**

20 *Section 203 of the Rehabilitation Act of 1973 (as*
 21 *amended by section 405 of the Workforce Investment Act*
 22 *of 1988) is amended—*

23 (1) *in subsection (a)(1), by inserting after “pro-*
 24 *grams,” insert “including programs relating to assist-*

1 *ive technology research and research that incorporates*
2 *the principles of universal design,”;*

3 *(2) in subsection (b)—*

4 *(A) by inserting “(1)” before “After receiv-*
5 *ing”;*

6 *(B) by striking “from individuals with dis-*
7 *abilities and the individuals’ representatives”*
8 *and inserting “from targeted individuals”;*

9 *(C) by inserting after “research” the follow-*
10 *ing: (including assistive technology research and*
11 *research that incorporates the principles of uni-*
12 *versal design)”;* and

13 *(D) by adding at the end the following:*

14 *“(2) In carrying out its duties with respect to the con-*
15 *duct of Federal research (including assistive technology re-*
16 *search and research that incorporates the principles of uni-*
17 *versal design) related to rehabilitation of individuals with*
18 *disabilities, the Committee shall—*

19 *“(A) share information regarding the range of*
20 *assistive technology research, and research that incor-*
21 *porates the principles of universal design, that is*
22 *being carried out by members of the Committee and*
23 *other Federal departments and organizations;*

24 *“(B) identify, and make efforts to address, gaps*
25 *in assistive technology research and research that in-*

1 *corporates the principles of universal design that are*
2 *not being adequately addressed;*

3 *“(C) identify, and establish, clear research prior-*
4 *ities related to assistive technology research and re-*
5 *search that incorporates the principles of universal*
6 *design for the Federal Government;*

7 *“(D) promote interagency collaboration and*
8 *joint research activities relating to assistive tech-*
9 *nology research and research that incorporates the*
10 *principles of universal design at the Federal level,*
11 *and reduce unnecessary duplication of effort regard-*
12 *ing these types of research within the Federal Govern-*
13 *ment; and*

14 *“(E) optimize the productivity of Committee*
15 *members through resource sharing and other cost-sav-*
16 *ing activities, related to assistive technology research*
17 *and research that incorporates the principles of uni-*
18 *versal design.”;*

19 *(3) by striking subsection (c) and inserting the*
20 *following:*

21 *“(c) Not later than December 31 of each year, the Com-*
22 *mittee shall prepare and submit, to the President and to*
23 *the Committee on Education and the Workforce of the*
24 *House of Representatives and the Committee on Labor and*
25 *Human Resources of the Senate, a report that—*

1 “(1) describes the progress of the Committee in
2 fulfilling the duties described in subsection (b);

3 “(2) makes such recommendations as the Com-
4 mittee determines to be appropriate with respect to
5 coordination of policy and development of objectives
6 and priorities for all Federal programs relating to the
7 conduct of research (including assistive technology re-
8 search and research that incorporates the principles of
9 universal design) related to rehabilitation of individ-
10 uals with disabilities; and

11 “(3) describes the activities that the Committee
12 recommended to be funded through grants, contracts,
13 cooperative agreements, and other mechanisms, for as-
14 sistive technology research and development and re-
15 search and development that incorporates the prin-
16 ciples of universal design.”; and

17 (4) by adding at the end the following:

18 “(d)(1) In order to promote coordination and coopera-
19 tion among Federal departments and agencies conducting
20 assistive technology research programs, to reduce duplica-
21 tion of effort among the programs, and to increase the avail-
22 ability of assistive technology for individuals with disabil-
23 ities, the Committee may recommend activities to be funded
24 through grants, contracts or cooperative agreements, or
25 other mechanisms—

1 “(A) in joint research projects for assistive tech-
2 nology research and research that incorporates the
3 principles of universal design; and

4 “(B) in other programs designed to promote a
5 cohesive, strategic Federal program of research de-
6 scribed in subparagraph (A).

7 “(2) The projects and programs described in para-
8 graph (1) shall be jointly administered by at least 2 agen-
9 cies or departments with representatives on the Committee.

10 “(3) In recommending activities to be funded in the
11 projects and programs, the Committee shall obtain input
12 from targeted individuals, and other organizations and in-
13 dividuals the Committee determines to be appropriate, con-
14 cerning the availability and potential of technology for in-
15 dividuals with disabilities.

16 “(e) In this section, the terms ‘assistive technology’,
17 ‘targeted individuals’, and ‘universal design’ have the
18 meanings given the terms in section 3 of the Assistive Tech-
19 nology Act of 1998.”.

20 **SEC. 202. NATIONAL COUNCIL ON DISABILITY.**

21 Section 401 of the Rehabilitation Act of 1973 (as
22 amended by section 407 of the Workforce Investment Act
23 of 1998) is amended by adding at the end the following:

24 “(c)(1) Not later than December 31, 1999, the Council
25 shall prepare a report describing the barriers in Federal

1 *assistive technology policy to increasing the availability of*
 2 *and access to assistive technology devices and assistive tech-*
 3 *nology services for individuals with disabilities.*

4 “(2) *In preparing the report, the Council shall obtain*
 5 *input from the National Institute on Disability and Reha-*
 6 *bilitation Research and the Association of Tech Act Projects,*
 7 *and from targeted individuals, as defined in section 3 of*
 8 *the Assistive Technology Act of 1998.*

9 “(3) *The Council shall submit the report, along with*
 10 *such recommendations as the Council determines to be ap-*
 11 *propriate, to the Committee on Labor and Human Re-*
 12 *sources of the Senate and the Committee on Education and*
 13 *the Workforce of the House of Representatives.”.*

14 **SEC. 203. ARCHITECTURAL AND TRANSPORTATION BAR-**
 15 **RIERS COMPLIANCE BOARD.**

16 (a) *IN GENERAL.*—*Section 502 of the Rehabilitation*
 17 *Act of 1973 (29 U.S.C. 792) is amended—*

18 (1) *by redesignating subsections (d) through (i)*
 19 *as subsections (e) through (j), respectively;*

20 (2) *by inserting after subsection (c) the follow-*
 21 *ing:*

22 “(d) *Beginning in fiscal year 2000, the Access Board,*
 23 *after consultation with the Secretary, representatives of*
 24 *such public and private entities as the Access Board deter-*
 25 *mines to be appropriate (including the electronic and infor-*

1 *mation technology industry), targeted individuals (as de-*
 2 *fin ed in section 3 of the Assistive Technology Act of 1998),*
 3 *and State information technology officers, shall provide*
 4 *training for Federal and State employees on any obliga-*
 5 *tions related to section 508 of the Rehabilitation Act of*
 6 *1973.”; and*

7 *(3) in the second sentence of paragraph (1) of*
 8 *subsection (e) (as redesignated in paragraph (1)), by*
 9 *striking “subsection (e)” and inserting “subsection*
 10 *(f)”.*

11 *(b) CONFORMING AMENDMENT.—Section 506(c) of the*
 12 *Rehabilitation Act of 1973 (29 U.S.C. 794(c)) is amended*
 13 *by striking “section 502(h)(1)” and inserting “section*
 14 *502(i)(1)”.*

15 ***Subtitle B—Other National*** 16 ***Activities***

17 ***SEC. 211. SMALL BUSINESS INCENTIVES.***

18 *(a) DEFINITION.—In this section, the term “small*
 19 *business” means a small-business concern, as described in*
 20 *section 3(a) of the Small Business Act (15 U.S.C. 632(a)).*

21 *(b) CONTRACTS FOR DESIGN, DEVELOPMENT, AND*
 22 *MARKETING.—*

23 *(1) IN GENERAL.—The Secretary may enter into*
 24 *contracts with small businesses, to assist such busi-*
 25 *nesses to design, develop, and market assistive tech-*

1 *nology devices or assistive technology services. In en-*
2 *tering into the contracts, the Secretary may give pref-*
3 *erence to businesses owned or operated by individuals*
4 *with disabilities.*

5 (2) *SMALL BUSINESS INNOVATIVE RESEARCH*
6 *PROGRAM.—Contracts entered into pursuant to para-*
7 *graph (1) shall be administered in accordance with*
8 *the contract administration requirements applicable*
9 *to the Department of Education under the Small*
10 *Business Innovative Research Program, as described*
11 *in section 9(g) of the Small Business Act (15 U.S.C.*
12 *638(g)). Contracts entered into pursuant to para-*
13 *graph (1) shall not be included in the calculation of*
14 *the required expenditures of the Department under*
15 *section 9(f) of such Act (15 U.S.C. 638(f)).*

16 (c) *GRANTS FOR EVALUATION AND DISSEMINATION OF*
17 *INFORMATION ON EFFECTS OF TECHNOLOGY TRANSFER.—*
18 *The Secretary may make grants to small businesses to en-*
19 *able such businesses—*

20 (1) *to work with any entity funded by the Sec-*
21 *retary to evaluate and disseminate information on the*
22 *effects of technology transfer on the lives of individ-*
23 *uals with disabilities;*

1 *Stevenson-Wydler Technology Innovation Act of 1980*
2 *(15 U.S.C. 3701 et seq);*

3 (2) *to increase the awareness of staff members of*
4 *the Federal Laboratories regarding assistive tech-*
5 *nology issues and the principles of universal design;*

6 (3) *to compile a compendium of current and*
7 *projected Federal Laboratory technologies and projects*
8 *that have or will have an intended or recognized im-*
9 *port on the available range of assistive technology for*
10 *individuals with disabilities, including technologies*
11 *and projects that incorporate the principles of univer-*
12 *sal design, as appropriate;*

13 (4) *to develop strategies for applying develop-*
14 *ments in assistive technology and universal design to*
15 *mainstream technology, to improve economies of scale*
16 *and commercial incentives for assistive technology;*
17 *and*

18 (5) *to cultivate developments in assistive tech-*
19 *nology and universal design through demonstration*
20 *projects and evaluations, conducted with assistive*
21 *technology professionals and potential users of assist-*
22 *ive technology.*

23 (c) *GRANTS, CONTRACTS, AND COOPERATIVE AGREE-*
24 *MENTS.—The Secretary may make grants to or enter into*
25 *contracts or cooperative agreements with commercial, non-*

1 *profit, or other organizations, including institutions of*
2 *higher education, to facilitate interaction with the Consor-*
3 *tium to achieve the objectives of this section.*

4 (d) *RESPONSIBILITIES OF CONSORTIUM.—Section*
5 *11(e)(1) of the Stevenson-Wydler Technology Innovation*
6 *Act of 1980 (15 U.S.C. 3710(e)(1)) is amended—*

7 (1) *in subparagraph (I), by striking “; and” and*
8 *inserting a semicolon;*

9 (2) *in subparagraph (J), by striking the period*
10 *and inserting “; and”; and*

11 (3) *by adding at the end the following:*

12 “(K) *work with the Director of the National In-*
13 *stitute on Disability and Rehabilitation Research to*
14 *compile a compendium of current and projected Fed-*
15 *eral Laboratory technologies and projects that have or*
16 *will have an intended or recognized impact on the*
17 *available range of assistive technology for individuals*
18 *with disabilities (as defined in section 3 of the Assist-*
19 *ive Technology Act of 1998), including technologies*
20 *and projects that incorporate the principles of univer-*
21 *sal design (as defined in section 3 of such Act), as ap-*
22 *propriate.”.*

1 **SEC. 213. UNIVERSAL DESIGN IN PRODUCTS AND THE**
2 **BUILT ENVIRONMENT.**

3 *The Secretary may make grants to commercial or other*
4 *enterprises and institutions of higher education for the re-*
5 *search and development of universal design concepts for*
6 *products (including information technology) and the built*
7 *environment. In making such grants, the Secretary shall*
8 *give preference to enterprises and institutions that are*
9 *owned or operated by individuals with disabilities. The Sec-*
10 *retary shall define the term “built environment” for pur-*
11 *poses of this section.*

12 **SEC. 214. OUTREACH.**

13 *(a) ASSISTIVE TECHNOLOGY IN RURAL OR IMPOVER-*
14 *ISHED URBAN AREAS.—The Secretary may make grants,*
15 *enter into cooperative agreements, or provide financial as-*
16 *sistance through other mechanisms, for projects designed to*
17 *increase the availability of assistive technology for rural*
18 *and impoverished urban populations, by determining the*
19 *unmet assistive technology needs of such populations, and*
20 *designing and implementing programs to meet such needs.*

21 *(b) ASSISTIVE TECHNOLOGY FOR CHILDREN AND*
22 *OLDER INDIVIDUALS.—The Secretary may make grants,*
23 *enter into cooperative agreements, or provide financial as-*
24 *sistance through other mechanisms, for projects designed to*
25 *increase the availability of assistive technology for popu-*
26 *lations of children and older individuals, by determining*

1 *the unmet assistive technology needs of such populations,*
2 *and designing and implementing programs to meet such*
3 *needs.*

4 **SEC. 215. TRAINING PERTAINING TO REHABILITATION EN-**
5 **GINEERS AND TECHNICIANS.**

6 (a) *GRANTS AND CONTRACTS.*—*The Secretary shall*
7 *make grants, or enter into contracts with, public and pri-*
8 *vate agencies and organizations, including institutions of*
9 *higher education, to help prepare students, including stu-*
10 *dents preparing to be rehabilitation technicians, and fac-*
11 *ulty working in the field of rehabilitation engineering, for*
12 *careers related to the provision of assistive technology de-*
13 *vices and assistive technology services.*

14 (b) *ACTIVITIES.*—*An agency or organization that re-*
15 *ceives a grant or contract under subsection (a) may use the*
16 *funds made available through the grant or contract—*

17 (1) *to provide training programs for individuals*
18 *employed or seeking employment in the field of reha-*
19 *bilitation engineering, including postsecondary edu-*
20 *cation programs;*

21 (2) *to provide workshops, seminars, and con-*
22 *ferences concerning rehabilitation engineering that re-*
23 *late to the use of assistive technology devices and as-*
24 *istive technology services to improve the lives of indi-*
25 *viduals with disabilities; and*

1 (3) to design, develop, and disseminate curricu-
2 lar materials to be used in the training programs,
3 workshops, seminars, and conferences described in
4 paragraphs (1) and (2).

5 **SEC. 216. ASSISTIVE TECHNOLOGY TAXONOMY.**

6 (a) *STUDY.*—The Secretary may, directly or (if nec-
7 essary) by entering into contracts or cooperative agreements
8 with appropriate entities, conduct a study to determine the
9 benefits of and obstacles to implementing throughout the
10 Federal Government a single assistive technology taxonomy
11 developed by the Secretary.

12 (b) *REPORT.*—Not later than December 31, 1999, the
13 Secretary shall prepare and submit to the Committee on
14 Education and the Workforce of the House of Representa-
15 tives and the Committee on Labor and Human Resources
16 of the Senate a report that contains information detailing
17 the benefits and obstacles described in subsection (a) and
18 that contains such policy recommendations as the Secretary
19 determines to be appropriate.

20 **SEC. 217. PRESIDENT'S COMMITTEE ON EMPLOYMENT OF**
21 **PEOPLE WITH DISABILITIES.**

22 (a) *PROGRAMS.*—The President's Committee on Em-
23 ployment of People With Disabilities (referred to in this sec-
24 tion as "the Committee") may design, develop, and imple-
25 ment programs to increase the voluntary participation of

1 *the private sector in making information technology acces-*
2 *sible to individuals with disabilities, including increasing*
3 *the involvement of individuals with disabilities in the de-*
4 *sign, development, and manufacturing of information tech-*
5 *nology.*

6 (b) *ACTIVITIES.—The Committee may carry out ac-*
7 *tivities through the programs that may include—*

8 (1) *the development and coordination of a task*
9 *force, which—*

10 (A) *shall develop and disseminate informa-*
11 *tion on voluntary best practices for universal ac-*
12 *cessibility in information technology; and*

13 (B) *shall consist of members of the public*
14 *and private sectors, including—*

15 (i) *representatives of organizations*
16 *representing individuals with disabilities;*
17 *and*

18 (ii) *individuals with disabilities; and*

19 (2) *the design, development, and implementation*
20 *of outreach programs to promote the adoption of best*
21 *practices referred to in paragraph (1)(B).*

22 (c) *COORDINATION.—The Committee shall coordinate*
23 *the activities of the Committee under this section, as appro-*
24 *priate, with the activities of the National Institute on Dis-*

1 *ability and Rehabilitation Research and the activities of*
2 *the Department of Labor.*

3 (d) *TECHNICAL ASSISTANCE.*—*The Committee may*
4 *provide technical assistance concerning the programs car-*
5 *ried out under this section and may reserve such portion*
6 *of the funds appropriated to carry out this section as the*
7 *Committee determines to be necessary to provide the tech-*
8 *nical assistance.*

9 (e) *DEFINITION.*—*In this section, the term “informa-*
10 *tion technology” means any equipment or interconnected*
11 *system or subsystem of equipment, that is used in the auto-*
12 *matic acquisition, storage, manipulation, management,*
13 *movement, control, display, switching, interchange, trans-*
14 *mission, or reception of data or information, including a*
15 *computer, ancillary equipment, software, firmware and*
16 *similar procedures, services (including support services),*
17 *and related resources.*

18 **SEC. 218. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) *IN GENERAL.*—*There are authorized to be appro-*
20 *priated to carry out this title and the provisions described*
21 *in subsection (b)(1), \$15,000,000 for fiscal year 1999, and*
22 *such sums as may be necessary for each of fiscal years 2000*
23 *through 2004.*

1 (b) *RESERVATIONS.*—*Of the funds appropriated under*
 2 *subsection (a) for a fiscal year, the Secretary shall reserve*
 3 *not less than—*

4 (1) *33 percent to carry out the provisions of sec-*
 5 *tion 203 of the Rehabilitation Act of 1973 that relate*
 6 *to research described in section 203(b)(2)(A) of such*
 7 *Act;*

8 (2) *16 percent to carry out section 211;*

9 (3) *4 percent to carry out section 212;*

10 (4) *8 percent to carry out section 215; and*

11 (5) *10 percent to carry out section 217.*

12 (c) *AVAILABILITY.*—*Amounts appropriated under sub-*
 13 *section (a) for a fiscal year shall remain available for obli-*
 14 *gation for the following fiscal year.*

15 **TITLE III—ALTERNATIVE**
 16 **FINANCING MECHANISMS**

17 **SEC. 301. GENERAL AUTHORITY.**

18 (a) *IN GENERAL.*—*The Secretary shall award grants*
 19 *to States to pay for the Federal share of the cost of the estab-*
 20 *lishment and administration of, or the expansion and ad-*
 21 *ministration of, an alternative financing program featur-*
 22 *ing 1 or more alternative financing mechanisms to allow*
 23 *individuals with disabilities and their family members,*
 24 *guardians, advocates, and authorized representatives to*
 25 *purchase assistive technology devices and assistive tech-*

1 *nology services (referred to individually in this title as an*
2 *“alternative financing mechanism”).*

3 (b) *MECHANISMS.—The alternative financing mecha-*
4 *nisms may include—*

5 (1) *a low-interest loan fund;*

6 (2) *an interest buy-down program;*

7 (3) *a revolving loan fund;*

8 (4) *a loan guarantee or insurance program;*

9 (5) *a program operated by a partnership among*
10 *private entities for the purchase, lease, or other acqui-*
11 *sition of assistive technology devices or assistive tech-*
12 *nology services; or*

13 (6) *another mechanism that meets the require-*
14 *ments of this title and is approved by the Secretary.*

15 (c) *REQUIREMENTS.—*

16 (1) *PERIOD.—The Secretary may award grants*
17 *under this title for periods of 1 year.*

18 (2) *LIMITATION.—No State may receive more*
19 *than 1 grant under this title.*

20 (d) *FEDERAL SHARE.—The Federal share of the cost*
21 *of the alternative financing program shall not be more than*
22 *50 percent.*

23 (e) *CONSTRUCTION.—Nothing in this section shall be*
24 *construed as affecting the authority of a State to establish*
25 *an alternative financing program under title I.*

1 **SEC. 302. AMOUNT OF GRANTS.**

2 (a) *IN GENERAL.*—

3 (1) *GRANTS TO OUTLYING AREAS.*—*From the*
4 *funds appropriated under section 308 for any fiscal*
5 *year that are not reserved under section 308(b), the*
6 *Secretary shall make a grant in an amount of not*
7 *more than \$105,000 to each eligible outlying area.*

8 (2) *GRANTS TO STATES.*—*From the funds de-*
9 *scribed in paragraph (1) that are not used to make*
10 *grants under paragraph (1), the Secretary shall make*
11 *grants to States from allotments made in accordance*
12 *with the requirements described in paragraph (3).*

13 (3) *ALLOTMENTS.*—*From the funds described in*
14 *paragraph (1) that are not used to make grants under*
15 *paragraph (1)—*

16 (A) *the Secretary shall allot \$500,000 to*
17 *each State; and*

18 (B) *from the remainder of the funds—*

19 (i) *the Secretary shall allot to each*
20 *State an amount that bears the same ratio*
21 *to 80 percent of the remainder as the popu-*
22 *lation of the State bears to the population*
23 *of all States; and*

24 (ii) *the Secretary shall allot to each*
25 *State with a population density that is not*
26 *more than 10 percent greater than the pop-*

1 *ulation density of the United States (ac-*
2 *cording to the most recently available cen-*
3 *sus data) an equal share from 20 percent of*
4 *the remainder.*

5 *(b) INSUFFICIENT FUNDS.—If the funds appropriated*
6 *under this title for a fiscal year are insufficient to fund*
7 *the activities described in the acceptable applications sub-*
8 *mitted under this title for such year, a State whose applica-*
9 *tion was approved for such year but that did not receive*
10 *a grant under this title may update the application for the*
11 *succeeding fiscal year. Priority shall be given in such suc-*
12 *ceeding fiscal year to such updated applications, if accept-*
13 *able.*

14 *(c) DEFINITIONS.—In subsection (a):*

15 *(1) OUTLYING AREA.—The term “outlying area”*
16 *means the United States Virgin Islands, Guam,*
17 *American Samoa, and the Commonwealth of the*
18 *Northern Mariana Islands.*

19 *(2) STATE.—The term “State” does not include*
20 *the United States Virgin Islands, Guam, American*
21 *Samoa, and the Commonwealth of the Northern Mari-*
22 *ana Islands.*

1 **SEC. 303. APPLICATIONS AND PROCEDURES.**

2 (a) *ELIGIBILITY.*—States that receive or have received
3 grants under section 101 or 102 and comply with subsection
4 (b) shall be eligible to compete for grants under this title.

5 (b) *APPLICATION.*—To be eligible to compete for a
6 grant under this title, a State shall submit an application
7 to the Secretary at such time, in such manner, and contain-
8 ing such information as the Secretary may require, includ-
9 ing—

10 (1) *an assurance that the State will provide the*
11 *non-Federal share of the cost of the alternative financ-*
12 *ing program in cash, from State, local, or private*
13 *sources;*

14 (2) *an assurance that the alternative financing*
15 *program will continue on a permanent basis;*

16 (3) *an assurance that, and information describ-*
17 *ing the manner in which, the alternative financing*
18 *program will expand and emphasize consumer choice*
19 *and control;*

20 (4) *an assurance that the funds made available*
21 *through the grant to support the alternative financing*
22 *program will be used to supplement and not supplant*
23 *other Federal, State, and local public funds expended*
24 *to provide alternative financing mechanisms;*

25 (5) *an assurance that the State will ensure*
26 *that—*

1 (A) all funds that support the alternative fi-
2 nancing program, including funds repaid during
3 the life of the program, will be placed in a per-
4 manent separate account and identified and ac-
5 counted for separately from any other fund;

6 (B) if the organization administering the
7 program invests funds within this account, the
8 organization will invest the funds in low-risk se-
9 curities in which a regulated insurance company
10 may invest under the law of the State; and

11 (C) the organization will administer the
12 funds with the same judgment and care that a
13 person of prudence, discretion, and intelligence
14 would exercise in the management of the finan-
15 cial affairs of such person;

16 (6) an assurance that—

17 (A) funds comprised of the principal and
18 interest from the account described in paragraph
19 (5) will be available to support the alternative fi-
20 nancing program; and

21 (B) any interest or investment income that
22 accrues on or derives from such funds after such
23 funds have been placed under the control of the
24 organization administering the alternative fi-
25 nancing program, but before such funds are dis-

1 *tributed for purposes of supporting the program,*
2 *will be the property of the organization admin-*
3 *istering the program; and*

4 (7) *an assurance that the percentage of the funds*
5 *made available through the grant that is used for in-*
6 *direct costs shall not exceed 10 percent.*

7 (c) *LIMIT.—The interest and income described in sub-*
8 *section (b)(6)(B) shall not be taken into account by any*
9 *officer or employee of the Federal Government for purposes*
10 *of determining eligibility for any Federal program.*

11 **SEC. 304. CONTRACTS WITH COMMUNITY-BASED ORGANIZA-**
12 **TIONS.**

13 (a) *IN GENERAL.—A State that receives a grant under*
14 *this title shall enter into a contract with a community-*
15 *based organization (including a group of such organiza-*
16 *tions) that has individuals with disabilities involved in or-*
17 *ganizational decisionmaking at all organizational levels, to*
18 *administer the alternative financing program.*

19 (b) *PROVISIONS.—The contract shall—*

20 (1) *include a provision requiring that the pro-*
21 *gram funds, including the Federal and non-Federal*
22 *shares of the cost of the program, be administered in*
23 *a manner consistent with the provisions of this title;*

1 (2) include any provision the Secretary requires
2 concerning oversight and evaluation necessary to pro-
3 tect Federal financial interests; and

4 (3) require the community-based organization to
5 enter into a contract, to expand opportunities under
6 this title and facilitate administration of the alter-
7 native financing program, with—

8 (A) commercial lending institutions or or-
9 ganizations; or

10 (B) State financing agencies.

11 **SEC. 305. GRANT ADMINISTRATION REQUIREMENTS.**

12 A State that receives a grant under this title and any
13 community-based organization that enters into a contract
14 with the State under this title, shall submit to the Secretary,
15 pursuant to a schedule established by the Secretary (or if
16 the Secretary does not establish a schedule, within 12
17 months after the date that the State receives the grant), each
18 of the following policies or procedures for administration
19 of the alternative financing program:

20 (1) A procedure to review and process in a time-
21 ly manner requests for financial assistance for imme-
22 diate and potential technology needs, including con-
23 sideration of methods to reduce paperwork and dupli-
24 cation of effort, particularly relating to need, eligi-
25 bility, and determination of the specific assistive tech-

1 *nology device or service to be financed through the*
2 *program.*

3 (2) *A policy and procedure to assure that access*
4 *to the alternative financing program shall be given to*
5 *consumers regardless of type of disability, age, income*
6 *level, location of residence in the State, or type of as-*
7 *istive technology device or assistive technology service*
8 *for which financing is requested through the program.*

9 (3) *A procedure to assure consumer-controlled*
10 *oversight of the program.*

11 **SEC. 306. INFORMATION AND TECHNICAL ASSISTANCE.**

12 (a) *IN GENERAL.*—*The Secretary shall provide infor-*
13 *mation and technical assistance to States under this title,*
14 *which shall include—*

15 (1) *providing assistance in preparing applica-*
16 *tions for grants under this title;*

17 (2) *assisting grant recipients under this title to*
18 *develop and implement alternative financing pro-*
19 *grams; and*

20 (3) *providing any other information and tech-*
21 *nical assistance the Secretary determines to be appro-*
22 *priate to assist States to achieve the objectives of this*
23 *title.*

24 (b) *GRANTS, CONTRACTS, AND COOPERATIVE AGREE-*
25 *MENTS.*—*The Secretary shall provide the information and*

1 *technical assistance described in subsection (a) through*
2 *grants, contracts, and cooperative agreements with public*
3 *or private agencies and organizations, including institu-*
4 *tions of higher education, with sufficient documented expe-*
5 *rience, expertise, and capacity to assist States in the devel-*
6 *opment and implementation of the alternative financing*
7 *programs carried out under this title.*

8 **SEC. 307. ANNUAL REPORT.**

9 *Not later than December 31 of each year, the Secretary*
10 *shall submit a report to the Committee on Education and*
11 *the Workforce of the House of Representatives and the Com-*
12 *mittee on Labor and Human Resources of the Senate de-*
13 *scribing the progress of each alternative financing program*
14 *funded under this title toward achieving the objectives of*
15 *this title. The report shall include information on—*

16 *(1) the number of grant applications received*
17 *and approved by the Secretary under this title, and*
18 *the amount of each grant awarded under this title;*

19 *(2) the ratio of funds provided by each State for*
20 *the alternative financing program of the State to*
21 *funds provided by the Federal Government for the*
22 *program;*

23 *(3) the type of alternative financing mechanisms*
24 *used by each State and the community-based organi-*

1 *zation with which each State entered into a contract,*
2 *under the program; and*

3 *(4) the amount of assistance given to consumers*
4 *through the program (who shall be classified by age,*
5 *type of disability, type of assistive technology device*
6 *or assistive technology service financed through the*
7 *program, geographic distribution within the State,*
8 *gender, and whether the consumers are part of an*
9 *underrepresented population or rural population).*

10 **SEC. 308. AUTHORIZATION OF APPROPRIATIONS.**

11 *(a) IN GENERAL.—There are authorized to be appro-*
12 *priated to carry out this title \$25,000,000 for fiscal year*
13 *1999 and such sums as may be necessary for each of fiscal*
14 *years 2000 through 2004.*

15 *(b) RESERVATION.—Of the amounts appropriated*
16 *under subsection (a) for a fiscal year, the Secretary shall*
17 *reserve 2 percent for the purpose of providing information*
18 *and technical assistance to States under section 306.*

19 *(c) AVAILABILITY.—Amounts appropriated under sub-*
20 *section (a) for a fiscal year shall remain available for obli-*
21 *gation for the following fiscal year.*

1 **TITLE IV—REPEAL AND**
2 **CONFORMING AMENDMENTS**

3 **SEC. 401. REPEAL.**

4 *The Technology-Related Assistance for Individuals*
5 *With Disabilities Act of 1988 (29 U.S.C. 2201 et seq.) is*
6 *repealed.*

7 **SEC. 402. CONFORMING AMENDMENTS.**

8 (a) *DEFINITIONS.—Section 6 of the Rehabilitation Act*
9 *of 1973 (as amended by section 403 of the Workforce Invest-*
10 *ment Act of 1998) is amended—*

11 (1) *in paragraph (3), by striking “section 3(2)*
12 *of the Technology-Related Assistance for Individuals*
13 *With Disabilities Act of 1988 (29 U.S.C. 2202(2))”*
14 *and inserting “section 6 of the Assistive Technology*
15 *Act of 1998”; and*

16 (2) *in paragraph (4), by striking “section 3(3)*
17 *of the Technology-Related Assistance for Individuals*
18 *With Disabilities Act of 1988 (29 U.S.C. 2202(3))”*
19 *and inserting “section 6 of the Assistive Technology*
20 *Act of 1998”.*

21 (b) *RESEARCH AND OTHER COVERED ACTIVITIES.—*
22 *Section 204(b)(3) of the Rehabilitation Act of 1973 (as*
23 *amended by section 405 of the Workforce Investment Act*
24 *of 1998) is amended—*

1 (1) *in subparagraph (C)(i), by striking “the*
2 *Technology-Related Assistance for Individuals With*
3 *Disabilities Act of 1988 (29 U.S.C. 2201 et seq.)” and*
4 *inserting “the Assistive Technology Act of 1998”; and*

5 (2) *in subparagraph (G)(i), by striking “the*
6 *Technology-Related Assistance for Individuals With*
7 *Disabilities Act of 1988 (29 U.S.C. 2201 et seq.)” and*
8 *inserting “the Assistive Technology Act of 1998”.*

9 (c) *PROTECTION AND ADVOCACY.—Section 509(a)(2)*
10 *of the Rehabilitation Act of 1973 (as amended by section*
11 *408 of the Workforce Investment Act of 1998) is amended*
12 *by striking “the Technology-Related Assistance for Individ-*
13 *uals With Disabilities Act of 1988 (42 U.S.C. 2201 et seq.)”*
14 *and inserting “the Assistive Technology Act of 1998”.*